

September 01,2021

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From: Shatara Architecture Inc.

To: City of Burlingame Planning Commission

Ref.: 1204 El Camino Real

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The proposal for the conversion of the automobile repair shop to a retail boutique & personal service, hair saloon, has raised several questions with regards to the Parking Variance. Since the location is not on the "Broadway Commercial Strip" yet it is around the corner on El Camino Real did raise some concerns amongst the Commissioners.

The zoning for this location is the same as the "Broadway Commercial Strip." The continuation of the Zoning District provides parking available to patrons on Broadway Street as well as Public Parking Lots as part of the Broadway Business District.

The bank parking lot across Broadway Street at El Camino Real which is the closest public parking other than Broadway Street provides public on half of the parking lot and the other half dedicated to the bank. The public parking spaces have parking meters similar to the public parking at Broadway Street as well as other public parking areas within the Commercial district.

As for other businesses on Broadway Commercial Strip patrons still have to find parking and walk to their destinations. Parking may not always be had right Infront of the business patrons wish to visit. Once this destination becomes available as a boutique and hair saloon patrons will access this location in the same manner as all other businesses.

The commissioners concern ~~is~~ that costumers might use the sidewalk as parking since this was very common for the automobile businesses that had existed there. There was never an established parking designated in front of the business even when a "No Parking" sign is placed.

Consideration to mitigate parking at the sidewalk we have proposed placing planters on the sidewalk, within the property line as provided on plans attached. The removal of the curb as well as the sidewalk improvement and planter strips against the curb are the proposal we have submitted to Caltrans for their approval. We have had discussion with Caltrans regarding placement and irrigation. The landscape team at Caltrans is reviewing for final approval of the proposal.

We would like to seek your support in approving the proposed business location at this site and our mitigation plan to detour parking on the sidewalk, Again, all patrons will park in the designated public parking areas just as all other businesses in the same zoning district.

Thank you for your consideration,

Suheil Shatara, Architect



# City of Burlingame

BURLINGAME CITY HALL  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010

## Meeting Minutes Planning Commission

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Monday, June 14, 2021

6:00 PM

Online

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- c. 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 shop to retail and personal service uses. (1480 Broadway Properties LLC , property owner; Suheil Shatara, Shatara Architecture Inc., architect and applicant) (150 noticed) Staff Contact: Michelle Markiewicz

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

*All Commissioners have visited the project site. Commissioner Terrones was recused from this item because he has a business relationship with the property owner. Associate Planner Kolokihakaufisi provided an overview of the staff report.*

*Acting Chair Larios opened the public hearing.*

*Suheil Shatara, designer, represented the applicant and answered questions about the application.*

*Public Comments:*

*> Jennifer Pfaff: Most commissioners know that the El Camino Real right-of-way would normally have required at least a tree to be prepared in a planter strip. It's all concrete now, but typically there would be a planter strip. This doesn't sound like a permanent project, but simply for the record, with facade changes and such there probably would have been a tree required here. Maybe later on, when the El Camino Real renewal project is done, there will be a planting strip here around whatever egress you have.*

*> Darell Mathis: I have submitted written comments already, but I just wanted to emphasize a few things for public consideration. The parking in this area has always been a problematic issue. People make free use of the driveway on our property to get to the parking area in the back. They try to park there and basically do whatever they want to do hoping they get away with it, despite the fact that we post signs that say they're subject to being towed. That area is also an easement for some of the businesses on Broadway that need access to the back of their space. Parking is a big issue for us and that's our primary concern. The potential congestion and inappropriate usage of the property, the associated potential safety issues when you have people coming in and out of that narrow access way, and the potential for a number of people that may be present in this proposed business. I would point out that the parking situation is a little different here than in other areas of the commercial strip. Most other businesses on Broadway have parking on any direction you go. This business, at the edge of El Camino Real, has very limited parking facilities and El Camino Real itself has no parking at all and is a very busy street. The parking issues there are more critical than they might be elsewhere in Burlingame. So I would emphasize that needs to be taken into consideration. It also seems to that we only had a week to really consider this proposal and it's rather a short amount of time to fully evaluate it. So perhaps some additional time for consideration would be in order.*

*Acting Chair Larios closed the public hearing.*

*Commission Discussion/Direction:*

- > Having a tough time with the Parking Variance. Other businesses in Burlingame also use the perimeter parking, but they have parking in front of their business along Broadway, which is hopefully accessible to them and they have a place to drop off. Daily delivery and pickup is a concern, especially because there would not be parking along the curb on El Camino Real. Not seeing the hardship for a variance because the building has always had a tenant and has only been vacant for short periods of time. We need to see a landscape plan and some kind of a communication with Caltrans to see what's going to happen in front of the building. That's going to be critical about how this whole thing plays out and how businesses can work there. The parking issue has not been resolved with this application.*
- > Would like to see what Caltrans will do. Also need to see a landscaping plan. Worried that we're going to see a lot of congestion there.*
- > Want to see this business succeed and have a nice space, but worried about typical human behavior and what might happen to this stretch on El Camino Real with all the customers and visitors who may be coming to this business.*
- > Should revise the Variance Application to include stronger findings for the Parking Variance.*
- > The landscape plan needs to be addressed in a very aggressive fashion; should include some landscape features in front of the building that would help prevent customers wanting to park on the sidewalk in front of the building. Would like to see a response from Caltrans that this is indeed what they would approve.*

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

**Aye:** 4 - Comaroto, Tse, Gaul, and Larios

**Absent:** 2 - Loftis, and Schmid

**Recused:** 1 - Terrones

## CD/PLG-Ruben Hurin

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**From:** Darrell Mathis <[REDACTED]>  
**Sent:** Monday, September 27, 2021 10:46 AM  
**To:** GRP-Planning Commissioners  
**Cc:** 'Boris Oplanic'; [REDACTED]  
**Subject:** RE: Public Hearing ID 881 6003 1272

Hello

I understand that this item will not be considered in the Sept 27 meeting, but I wanted to highlight the following concerns.

As the owner of the property at [REDACTED] I am writing in regards to the application for commercial design review and parking variance at 1204 El Camino Real. I have read the suggested variance findings in the staff report for the Sep 27 meeting and I respectfully disagree with it.

The report indicates that the existing parking requirements are 12 spaces and the expanded usage would add 8 more. I think it is important to note that the presumed 12 existing spaces have been provided primarily inside the building in the past, but the proposed usage would require 20 spaces to be supported by the surrounding neighborhood, not just 8 additional spaces. The contention that this is not a significant impact is implausible. We all know that parking along Broadway and surrounding streets is already a nightmare. The existing public parking lots are at least a block away and street parking is essentially the same. this is not a negligible impact.

The propose space has a hair salon with 8 stations (plus 2 for hair washing), a tanning station, 4 office spaces upstairs, 1 office down stairs, 3378 sq ft of retail space, and a 607 sq ft bridal zone. Assume a maximum of 10 people at any one time is not realistic for this kind of space. So again the available parking is inadequate.

Placing planter boxes and replacing curb cutouts may prevent parking on the sidewalks in from of the business, but it will also focus attention on the only immediate alternative, which is the adjacent property. We have a long history of previous customers parking on the sidewalk in from of my property despite posted signage prohibit this and warning of towing. My tenants complain about people parking outside their windows and does impact my property. While in the past most customer parking was accommodated inside the business, the new usage will only make this problem worse. We are dealing with human nature, shortcuts will be used and we are encouraging more of this behavior.

There is the issue of loading/unloading of inventory for this space, as well as possible customer drop off and pickup. Where will that happen? There was some mention of using the adjacent gas station (also owned by the proposed business), but that only creates yet another congestion problem along Broadway and El Camino. It is likely that delivery vehicles will use the driveway entrance to my property as a loading/unloading zone, thereby blocking access by tenants and other merchants with easement rights to this area, and creating additional public safety issues. And should any accidents or injuries occur on our property there are liability issues to follow.

And finally if we believe this business will be successful, that means many more people in the immediate vicinity, including children. Without adequate parking and facing a very busy street (El Camino is a state highway), there are general public safety concerns.

These and other concerns were strongly expressed in the previous planning commission meeting public comments and the commissioner's discussion, and no support for variance was found. This revised staff report seems to be inadequately informed and should not by itself justify a variance. I urge the commissioners to consider more than this narrow finding.

Regards

Darrell Mathis

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.



# PLANNING APPLICATION

COMMUNITY DEVELOPMENT DEPARTMENT—PLANNING DIVISION

501 PRIMROSE ROAD, 2ND FLOOR, BURLINGAME, CA 94010-3997

TEL: 650.558.7250 | FAX: 650.696.3790 | E-MAIL: [PLANNINGDEPT@BURLINGAME.ORG](mailto:PLANNINGDEPT@BURLINGAME.ORG)

PROJECT INFORMATION

1204 El Camino Real, Burlingame  
PROJECT ADDRESS

026-096-180  
ASSESSOR'S PARCEL # (APN)

CL00C1  
ZONING

PROJECT DESCRIPTION

Existing Auto Maintenance shop (Smog check and Tire service) to be converted into a Clothing Boutique and a Hair Salon. *and exterior facade changes to existing building*

APPLICANT INFORMATION

Roger Abu-Yaghi  
PROPERTY OWNER NAME  APPLICANT?

Suheil Shatara  
ARCHITECT/DESIGNER  APPLICANT?

415-871-1229  
PHONE

931551

BURLINGAME BUSINESS LICENSE #

890 7th Street, San Francisco, CA 94010  
ADDRESS

suheil@shataraarch.com  
E-MAIL

\*FOR PROJECT REFUNDS\* - Please provide an address to which to all refund checks will be mailed to:

AFFIDAVIT OF OWNERSHIP

STATEMENT GIVEN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

12/11/20  
DATE

BY SIGNING THIS AFFIDAVIT, I AUTHORIZE THE ABOVE APPLICANT TO SUBMIT THIS APPLICATION TO THE CITY OF BURLINGAME

1-2-21  
DATE

### AUTHORIZATION TO REPRODUCE PLANS

I HEREBY GRANT THE CITY OF BURLINGAME THE AUTHORITY TO REPRODUCE UPON REQUEST AND/OR POST PLANS SUBMITTED WITH THIS APPLICATION ON THE CITY'S WEBSITE AS PART OF THE PLANNING APPROVAL PROCESS AND WAIVE ANY CLAIMS AGAINST THE CITY ARISING OUT OF OR RELATED TO SUCH ACTION \_\_\_\_\_

(INITIALS OF ARCHITECT/DESIGNER)

STAFF USE ONLY

#### APPLICATION TYPE

- ACCESSORY DWELLING UNIT (ADU)
- VARIANCE (VAR) *Parking*
- CONDITIONAL USE PERMIT (CUP)
- WIRELESS
- DESIGN REVIEW (DSR)
- FENCE EXCEPTION
- HILLSIDE AREA CONSTRUCTION PERMIT
- OTHER: \_\_\_\_\_
- MINOR MODIFICATION
- SPECIAL PERMIT (SP)

DATE RECEIVED:

# RECEIVED

JAN -5 2021

CITY OF BURLINGAME  
CDD-PLANNING DIV.

STAFF USE ONLY



RECEIVED

SEP -2 2021

shatara**ARCHITECTURE** Inc.

CITY OF BURLINGAME  
CDD-PLANNING DIV.

To: City of Burlingame Planning Dept.  
Re: 1204 El Camino Real  
Variance Application

**a. Describe the exceptional or extraordinary circumstances or conditions applicable to your property which do not apply to other properties in this area.**

The exceptional circumstance is that the current use, an auto smog shop, is closer to an Industrial Use rather than uses characteristic of the Broadway Commercial area. This application proposes a retail and personal service use of the space, which will bring the site into alignment with its zoning district. It may appear that this proposed use will be intensification of parking, using a strict interpretation of the ordinance, however in practical use, it will NOT. Its current use as a smog shop necessitates the presence of cars on site; it is integral to the service provided and results in cars parked on the sidewalk or in the neighbor's driveway. The smog / auto repair use had no other choice than to have customers bring their cars to the storefront to be serviced. The boutique / salon business will not be so constrained. The proposed project will function similarly to other retail spaces on the Broadway Strip, where businesses typically do not provide parking on-site. Instead customers use metered parking at lots or on the street and walk to the shop. The site is also adjacent to public transportation at the intersection of El Camino Real and Broadway.

**b. Explain why the variance request is necessary for the preservation and enjoyment of a substantial property right and what unreasonable property loss or unnecessary hardship might result from the denial of the application.**

The substantial property right is the ability for the tenants to make improvements to a leased space so it aligns with the services provided and for the Owner to enjoy the same tenancy rights as other buildings in the Broadway Commercial area. The variance request is necessary because there is no way to provide the required parking spaces without one. Denying this application for waiving the parking requirement would require significant reconstruction. Approving the variance request will allow the site to function similarly to other retail spaces in the Broadway Commercial Area.

**C. Explain why the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.**

890 7<sup>TH</sup> STREET, SAN FRANCISCO, CA. 94107  
Phone: 415 512-7566 Cell: 415 871-1229 Email: suheil@shataraarch.com

a.  
b.  
Public Health: The proposed use is an improvement over its current use. Cars will no longer be running for smog tests adjacent to an apartment building.

Public Safety: This business will lessen the traffic impact by not having vehicular traffic access the site for automotive repairs. This will make this location less dangerous to pedestrians in the vicinity. Customer vehicles will no longer be parked illegally on the sidewalk or in the neighboring driveways.

General Welfare: According to the City of Burlingame's General Plan, commercial use and improvements to the street façade are welcome approaches to encourage pedestrian activity.

Convenience: The proposed use is an improvement over its current use, especially to neighboring properties as no cars will access the site if this application is approved.

**D. How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?**

The property will be updated without adding any height, bulk or mass to the building. The proposed frontage shall be modified by removing roll down doors at the front and replacing them with a new storefront with the characteristics to other storefronts along the Broadway Commercial Strip. This will allow for greater transparency to the retail and hair salon business. In addition, the pedestrian experience will be improved with new movable planters at the street façade.

Regards,



Suheil Shatara  
Architect



## COMMERCIAL APPLICATION

### PLANNING COMMISSION APPLICATION SUPPLEMENTAL FORM

1. Proposed use of the site \_\_\_\_\_
2. Days and hours of operation \_\_\_\_\_
3. Number of trucks/service vehicles to be parked at site (by type) \_\_\_\_\_

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4. Current and projected maximum number of employees (including owner) at this location:

	At Opening/Existing		In 2 Years		In 5 Years	
Hours of Operation	Before 5:00 pm	After 5:00 pm	Before 5:00 pm	After 5:00 pm	Before 5:00 pm	After 5:00 pm
<b>Weekdays Full-time</b>						
<b>Part-time</b>						
<b>Weekends Full-time</b>						
<b>Part time</b>						

5. Current and projected maximum number of visitors/customers who may come to the site:

	At Opening/Existing		In 2 Years		In 5 Years	
Hours of Operation	Before 5:00 pm	After 5:00 pm	Before 5:00 pm	After 5:00 pm	Before 5:00 pm	After 5:00 pm
<b>Weekdays</b>						
<b>Weekends</b>						

6. What is the maximum number of people expected on site at any one time (include owner, employees and visitors/customers): \_\_\_\_\_
7. Where do/will the owner and employees park? \_\_\_\_\_
8. Where do/will the customers/visitors park? \_\_\_\_\_
9. Present or most recent use of site \_\_\_\_\_
10. List other tenants on property, their number of employees, hours of operation (attach a list if more room is needed) \_\_\_\_\_

**RESOLUTION APPROVING CATEGORICAL EXEMPTION, COMMERCIAL DESIGN REVIEW,  
AND PARKING VARIANCE**

RESOLVED, by the Planning Commission of the City of Burlingame that:

WHEREAS, a Categorical Exemption has been prepared and application has been made for Commercial Design Review for exterior facade changes to an existing commercial building and Parking Variance for a change in use from an automobile repair shop to retail at 1204 El Camino Real, Zoned C-1, Broadway Commercial Area, 1480 Broadway Property LLC, property owner, APN: 026-096-180;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on October 12, 2021, at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing;

NOW, THEREFORE, it is RESOLVED and DETERMINED by this Planning Commission that:

1. On the basis of the Initial Study and the documents submitted and reviewed, and comments received and addressed by this Commission, it is hereby found that there is no substantial evidence that the project set forth above will have a significant effect on the environment, and categorical exemption, per CEQA Section 15301 - Existing facilities, Class 1(a) of the CEQA Guidelines, which states that interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances are exempt from environmental review, is hereby approved.
2. Said Commercial Design Review and Parking Variance are approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Commercial Design Review and Parking Variance are set forth in the staff report, minutes, and recording of said meeting.
3. It is further directed that a certified copy of this resolution be recorded in the official records of the County of San Mateo.

\_\_\_\_\_  
Chairman

I, \_\_\_\_\_, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 12th day of October, 2021 by the following vote:

\_\_\_\_\_  
Secretary

## EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Commercial Design Review, and Parking Variance

**1204 El Camino Real**

Effective **October 22, 2021**

Page 1

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped September 20, 2021, sheets A0.0 through A3.1;
2. that prior to issuance of a building permit, the applicant shall apply for and obtain an encroachment permit from the Department of Transportation for any work proposed in the state right-of-way; that documentation with exhibits showing detailed project construction plans including work on the sidewalk, curb and planter strip, shall be submitted to the Department of Transportation for review and approval of an encroachment permit;
3. that the landscaping, located in the planter boxes and troughs on private property and in the planter strip within the state right-of-way, shall be irrigated and maintained in good order;
4. that prior to issuance of a building permit, the project applicant shall pay the Public Impact Fees in the amount of \$7,659.81 in full, payable to the City of Burlingame and submitted to the Planning Division;
5. that any changes to the size or envelope of the building, which would include changing or adding exterior walls or parapet walls, shall require an amendment to this permit;
6. 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);
7. that demolition or 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;
8. 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;
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 applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;
11. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at the time of building permit submittal, as amended by the City of Burlingame;

## EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Commercial Design Review, and Parking Variance

**1204 El Camino Real**

Effective **October 22, 2021**

Page 2

### **THE FOLLOWING CONDITIONS SHALL BE MET DURING THE BUILDING INSPECTION PROCESS PRIOR TO THE INSPECTIONS NOTED IN EACH CONDITION:**

12. that prior to scheduling the framing inspection, the project architect, engineer or other licensed professional shall provide architectural certification that the architectural details such as window locations and bays are built as shown on the approved plans; if there is no licensed professional involved in the project, the property owner or contractor shall provide the certification under penalty of perjury. Certifications shall be submitted to the Building Department; 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.



CITY OF BURLINGAME  
COMMUNITY DEVELOPMENT DEPARTMENT  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010  
PH: (650) 558-7250  
www.burlingame.org

**Project Site: 1204 El Camino Real, zoned C-1,  
Broadway Commercial Area**

The City of Burlingame Planning Commission announces the following virtual public hearing via Zoom **on Tuesday, October 12, 2021 at 7:00 P.M.** You may access the meeting online at [www.zoom.us/join](http://www.zoom.us/join) or by phone at (346) 248-7799:

Webinar ID: 835 4435 5120 Passcode: 803754

**Description:** 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.

Members of the public may provide written comments by email to: [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org).

Mailed: October 1, 2021

*(Please refer to other side)*

**PUBLIC HEARING  
NOTICE**

**City of Burlingame - Public Hearing Notice**

If you have any questions about this application or would like to schedule an appointment to view a hard copy of the application and plans, please send an email to [planningdept@burlingame.org](mailto:planningdept@burlingame.org) or call (650) 558-7250.

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed, should contact the Planning Division at [planningdept@burlingame.org](mailto:planningdept@burlingame.org) or (650) 558-7250 by 10 am on the day of the meeting.

If you challenge the subject application(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in the notice or in written correspondence delivered to the city at or prior to the public hearing.

Property owners who receive this notice are responsible for informing their tenants about this notice.

Kevin Gardiner, AICP  
Community Development Director

*(Please refer to other side)*

1204 El Camino Real  
300' noticing  
APN #: 026-096-180

