a. 1268 Cortez Avenue, zoned R-1 - Application for Design Review for a new, two-story single family dwelling and Special Permit for an attached garage (Eric Nyhus, applicant and architect; GLAD Trust, property owner) (103 noticed) Staff Contact: Erika Lewit

All Commissioners had visited the project site. There were no ex-parte communications to report.

Planning Manager Hurin provided an overview of the staff report.

There were no questions of staff.

Chair Gaul opened the public hearing.

Eric Nyhus, project architect, represented the applicant, with the property owner.

Commission Questions/Comments:

- *What is the intent for building above the garage? (Nyhus: Originally was going to be for an extra room and space to be used by the family, but in order to keep costs down would now like to convert it to an attic and maintain some storage space. Considered lowering roof, but it would be a negative impact on the windows, dormers and scale.)*
- *Concerned that extra storage space is needed for such a large house. (Nyhus: Aesthetically, would like to keep space to offset the massing of the house.)*
- *Would the ceiling height remain the same? (Nyhus: Yes, it starts at 7 feet at the plate and increases to just over 9 feet in the middle of the room.)*
- *Building section on sheet A304 shows a 10'-1½" ceiling height, is that correct? (Nyhus: Yes, that is correct.)*
- *Is there a revised floor plan? (Nyhus: Should be in the reduced plan set submitted today.)*
- *Have you studied a less than two-story elevation for the garage? Concerned that it is too vertical. (Nyhus: Yes, we did but it threw off the scale. On New England clapboard style houses, typically see smaller wings on either side of the main body of the house. Have creek and foliage along the left side of the house, which provides a greater distance to the neighbor; neighbor is in support of project as proposed. Mirroring house and garage across the street.)*
- *Add note indicating Marvin Integrity double-hung windows will be used throughout the house.*
- *Have you considered a larger door opening at the rear of the house to provide access to the deck/backyard? (Nyhus: It was considered, but have concerns how bifolding doors function, don't think they would be used very often in this climate.)*
- *Plans note 8x fascia boards. Assuming will be 2x8, clarify note on plans. (Nyhus: Yes, will be 2x8.)*
- *Plans note 7-inch clapboard siding. Will that be wood or a Hardie product? (Nyhus: Will probably be a Hardie product; will do cost comparisons, but generally prefer to use the Hardie product for its durability.)*
- *Specify on plans which Hardie product is being proposed and also bring in sample to next meeting.*
- *What is the proposed roofing material above the two bay windows? Add note to plans. (Nyhus: Will be standing seam metal roofing.)*
- *Are the chimneys decorative? (Nyhus: It is a feature of this style house, without it the house would look very different. Will also be used for bathroom and kitchen venting in order to avoid penetrations in*

the roof.)

- *Show chimney protrusion on floor plans.*
- *Did you share the plans with right side and other neighbors? (Property Owner: Yes, have talked to surrounding neighbors.)*
- *Gap between house and garage across street is smaller, so it appears to be more uniform. Like overall design and have done a good job with the massing.*

Public Comments:

There were no public comments.

Chair Gaul closed the public hearing.

Commission Discussion:

- *Have concerns about massing of the garage. Understand mimicking the house across the street, but that house does something differently with a main gable, so there needs to be a better argument. Design and style is fairly pure, but it's being too rigidly pure in that having to have balance of the two wings it's creating a broad frontage.*
- *If space above garage is truly just storage, then artificially creating false façade to harbor storage.*
- *Existing massing has a certain charm to it, the garage acts as a carriage building separate from the main house; now filling in all the gaps across the entire frontage and pulling garage apart because it has to be detached with a breezeway in between.*
- *If space above garage is going to be storage and accessed via a pull down ladder, then should be reduced in scale in terms of roof massing. Perhaps could still have the dormers and volume in a different manner, but have plate heights spring from first floor roof with dormers popping up above it. Right now looks like a really broad front simply because it is trying to mimic the wing on the other side of the house.*
- *Don't mind the style of the house, but am concerned with the garage, is gratuitous. Pulling the garage forward completely fills the front of the lot and makes massing of house considerably larger than it needs to be. Would have liked to see the garage pushed back to reduce the massing at street front.*
- *Like massing of house, agree that garage is busy, need to reduce the massing by pushing the garage back.*
- *Should consider either pushing the garage back or relooking at the height and massing of second floor and the roofline.*

Commissioner Sargent made a motion, seconded by Commissioner Loftis, to place the item on the Regular Action Calendar. The motion carried by the following vote:

Commission Discussion:

- **Would agree that project seems too vertical and broad.**

City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes
Planning Commission

Monday, October 22, 2018 | **7:00 PM** | **Council Chambers**

a. 1268 Cortez Avenue, zoned R-1 - Application for Design Review for a new, two-story single family dwelling and Special Permit for an attached garage. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15303 (a) of the CEQA Guidelines. (Eric Nyhus, applicant and architect; GLAD Trust, property owner) (103 noticed) Staff Contact: Erika Lewit

All Commissioners had visited the project site. There were no ex-parte communications to report.

Planning Manager Hurin provided an overview of the staff report.

There were no questions of staff.

Chair Gaul opened the public hearing.

Eric Nyhus, project architect, represented the applicant, with the property owners.

Commission Questions/Comments:

> *Is a sample of the Hardie siding available? (Nyhus: Has submitted a sample. Will specify white.)*
> *Would you consider using smooth siding rather than a wood grain? (Nyhus: Prefers the grain showing.)*
> *Joints don't hold up well with Hardie siding over long expanses. (Nyhus: Applicants will agree to wood if necessary, and have the siding go around the corners without trim pieces.)*
> *OK with the corner boards since they fit this particular architecture.*
> *Did you consider one dormer instead of two dormers on the garage (Nyhus: It would be centered between the two garage doors, and it is a wider wing. Had considered it but it looked unbalanced.)*
> *The 3D modeling helps to understand the massing, but reveals that the garage has a very flat face and feels blocky. (Nyhus: Could consider a single, larger dormer similar to the wing on the right.)*
> *It would help to break up the massing of the garage by adding a roof form between the first and second floors, similar to the house across the street.*
> *There appears to be an inconsistency in the application of the shutters. There are shutters on some of the windows on the left elevation but not on others, whereas on the right elevation there are shutters throughout. (Nyhus: Can look at it.)*
> *Did you consider pushing garage back even further than two feet? The lot is much larger than a typical Burlingame lot. (Nyhus: Wanted to maintain room for a deck in the back. Also wants to maintain the balance with the wing on the right.)*

Public Comments:

There were no public comments.

Chair Gaul closed the public hearing.

Commission Discussion:

> Doesn't make sense to compare massing of new house to the existing house because the existing house would not be approvable under the current ordinances.
> It is handsome architecture and would look great on 60 acres, but at this location the garage overwhelms the street.
> The dormers on the garage do not function like dormers in the traditional sense. Here they are extensions of the facade extending up through the roof to create a second story. The roof springs from a plate height that is above a second floor. The facade has two stories.
> The garage on the house across the street springs up from the top of the first floor, with attic space above.
> Still has issues with the garage, being asked to approve a two-story garage.
> OK with Hardie siding and corner boards.
> Appreciates the outreach to the neighbors, but that in itself can't strictly drive the outcome. It can't drive how the commission interprets the design guidelines as they apply to the application.
> Balance does not need to be literal. There can also be balance through asymmetry.
> Faceprint is very broad across the front, particularly given that the garage is attached.
> Beautiful house and it will contribute to neighborhood, except for the design of the garage.
> The house is at the maximum allowed floor area, but the way the garage is configured the second floor would not count towards floor area. However, it reads from the street like a second floor regardless, and makes the house look bigger than it is. The house and right-hand wing are approvable, but the garage needs to be looked at further.
> Needs to consider a one-story garage to be consistent with the zoning regulations if the size of the house and wing are to be maintained as they are.
> Likes the massing of house, but has a problem with second story on the garage. It would be overwhelming from the street.
> It is not okay to fill the entire frontage of the lot. It is effectively a 20 foot tall, 60 foot long wall over a 100-foot frontage. The entire frontage is filled with building, and there is not the relief that a rear detached garage would otherwise provide. It is inconsistent with the neighborhood design guidelines.
> Shouldn't be patterning off the house across the street, it does not fit in the neighborhood. There is nothing else in the neighborhood that is similar to the house across the street.
> There are numerous attached garages in the neighborhood, but they are not two stories.
> Would like to see the garage pushed further back. Understands there is a creek, but this is a 12,000 square foot lot. Not convinced the garage could not be pushed further back.
> These points were expressed before, but the the resubmittal has not been responsive to the previous concerns.

Commissioner Sargent made a motion, seconded by Commissioner Tse, to deny the application without prejudice. The motion carried by the following vote:

1268 Cortez Ave

Burlingame Planning Commission,

We are writing to express our support for the project at 1268 Cortez Avenue. We live directly across the street at 1269 Cortez Avenue. We believe the proposed house is a great addition to the block and the neighborhood. We understand there is some concern regarding a two-story structure to be built over the garage, and would like to support the proposed design adding a second story on the Dalporto's garage. We think it will nicely echo the two-story structure over our garage and create symmetry and balance on the block. We also believe a home of that quality will support the value of our home as it is similar in size and footprint.

Thank you,

Erika and Nick Pianim

From homeowners directly across the street from the subject property.

1268 Cortez Ave.

Dear Planning Commissioners –

I live two doors down from the Dalportos. They shared their remodel plans with me, and I think it's a really lovely design and I wholeheartedly support their project as proposed. I like that they are keeping the original colonial design that is currently there, yet turning it to face the street.

Best,

Dawnell Keller

1268 Cortez Ave

October 21st, 2018

Dear Burlingame Planning Commission,

We live on the 1200 block of Cortez across from the Dalporto family. We would like to show our support for their project at 1268 Cortez. We love the design of the house and feel it maintains the integrity of the original colonial structure currently on the property. We also believe having another 4000+ square foot house on our block will be great for us because it will support our property values.

Thank you for your time,

(Kimberly Testa)

(RAY TESTA)

Ray and Kimberly Testa
1261 Cortez Avenue
Burlingame, CA 94010

October 17, 2018

Dear Planning Commissioners,

I wanted to reach out and thank you for your consideration of our design for our home at 1268 Cortez Avenue. I have dreamed of living in a traditional New England Colonial home as long as I can remember. As cheesy as it sounds, I have had a photo of one sitting on my desk for the past decade. Every day, for ten years, I have looked at that photo as the goal I am working towards as I pound away at my keyboard.

When we moved to Burlingame 12 years ago, we rented for years until we could afford the down payment on our first house on Balboa. While renting, we fell in love with Burlingame and worked our butts off to be able to call this town our forever home. We are so grateful to raise our children in such a wonderful place. We love the walkability of Burlingame. We love the community. We love the public schools and are huge supporters of BCE. We love the trees in Easton Addition. We love the libraries. We love the pet parade. I could go on and on, but suffice it to say, Burlingame has become our home. We are deeply rooted and committed to this town in a way we have never been before in our lives, and we plan on staying here forever.

When the lot on Cortez came up, I was thrilled. Incredibly, we had the opportunity to make our dream house come true because of the double lot. We have spent the past 12 months working closely with our architect to design our dream home and we are thrilled with the results. This isn't just a house for me. This is a dream I have strived for my entire adult life.

We hope that you will love our classic design as much as we do. Every time I look at the drawings of the house, my heart soars. The symmetry. The beauty. I can't wait to build one of the most special homes in Burlingame to last my lifetime and beyond.

Best,

Subject property owner

COMMUNITY DEVELOPMENT DEPARTMENT • 501 PRIMROSE ROAD • BURLINGAME, CA 94010
p: 650.558.7250 • f: 650.696.3790 • www.burlingame.org

APPLICATION TO THE PLANNING COMMISSION

Type of application:

☒ Design Review ☐ Variance ☐ Parcel #: 026-152-100
☐ Conditional Use Permit ☐ Special Permit ☐ Zoning / Other: _____

PROJECT ADDRESS: 1268 Cortez Ave

APPLICANT

Name: Eric Nyhus
Address: 1400 Rollins Rd
City/State/Zip: Burlingame, CA 94010
Phone: 650.242.1553
E-mail: eric@nyhusdesign.com

PROPERTY OWNER

Name: Gabriel and Deva Dalporto
Address: 1268 Cortez Ave
City/State/Zip: Burlingame, CA 94010
Phone: 650.389.7440
E-mail: devadalporto@gmail.com

ARCHITECT/DESIGNER

Name: Eric Nyhus
Address: 1400 Rollins Rd
City/State/Zip: Burlingame, CA 94010
Phone: 650.242.1553
E-mail: eric@nyhusdesign.com

Burlingame Business License #: 28747

RECEIVED
DEC 12 2018
CITY OF BURLINGAME
CDD-PLANNING DIV.

Authorization to Reproduce Project 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)

PROJECT DESCRIPTION: Entire demolition of an existing 2-story home will be replaced with a new 2-story New England style residence. The home will have clapboard siding exterior and it will include 5 bedrooms, 5.5 baths, a study and a 2-car garage.

AFFIDAVIT/SIGNATURE: I hereby certify under penalty of perjury that the information given herein is true and correct to the best of my knowledge and belief.

Applicant's signature: _____ **Date:** 12/12/18

I am aware of the proposed application and hereby authorize the above applicant to submit this application to the Planning Commission.

Property owner's signature: _____ **Date:** 12/12/18

Date submitted: _____

CITY OF BURLINGAME
SPECIAL PERMIT APPLICATION

The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.50). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Please type or write neatly in ink. Refer to the back of this form for assistance with these questions.

1. ***Explain why 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.***

Massing of the garage is consistent with the neighborhood as it is not a dominant feature seen from the street. The garage will be similar in scale as others in the neighborhood. Neighboring properties will not be affected by the proposed design as it stays under the declining height envelope (the current Garage is non-compliant and abuts the creek) and as a whole, is significantly set back from the street when compared to the current positioning (see Site Plan and 1/301). Though the new house and Garage design has more second floor area than the existing, the overall impact is significantly reduced by all the roof forms sloping away from the street and being positioned further back on the lot.

2. ***Explain how 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.***

The proposed project will maintain consistency with the neighborhood as there is an even mix of single and 2-story homes, and some with similar siding and windows. The garage will maintain a similar scale to others in the neighborhood and remain smaller than the main house mass. As proposed, the garage will be located 10'-0" further back from street than the existing. Aesthetically, the Garage will have the same wood siding, windows, shutters, and color scheme as the proposed home to help create a unified design approach.

3. ***How will the proposed project be consistent with the residential design guidelines adopted by the city (C.S. 25.57)?***

The proposed project maintains the consistency of the existing neighborhood as there is an array of different architectural styles with two story garage structures. In regards to the garage pattern in the neighborhood, the garage will be placed further back from the street as well as further away from the side property line. The massing of the garage remains in keeping with neighborhood characteristics and is a very balanced, traditional architectural design. Existing landscaping and a creek will obscure the massing from the neighbor's perspective and site plan and elevation sheets have been signed by the neighbor acknowledging and approving the proposed design (attached).

4. ***Explain how the 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. What mitigation is proposed for the removal of any trees? Explain why this mitigation is appropriate.***

No trees will be removed on the property.

RESOLUTION APPROVING CATEGORICAL EXEMPTION, DESIGN REVIEW, AND SPECIAL PERMIT

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

WHEREAS, a Categorical Exemption has been prepared and application has been made for Design Review and Special Permit for a new, two-story single family dwelling with an attached garage at 1268 Cortez Avenue, Zoned R-1, GLAD Trust, property owner, APN: 126-152-100;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on January 14, 2019 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 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, is hereby approved.

2. Said Design Review and Special Permit are approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Design Review and Special Permit 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 14th day of January, 2019 by the following vote:

_____
Secretary

EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Design Review, and Special Permit
1268 Cortez Avenue
Effective **January 24, 2019**

1. that project shall be built as shown on the plans submitted to the Planning Division date stamped December 12, 2018, sheets A001 through A304, and Boundary and Topographic Survey dated April 12, 2017;

2. that any changes to building materials, exterior finishes, windows, architectural features, roof height or pitch, and amount or type of hardscape materials shall be subject to Planning Division or Planning Commission review (FYI or amendment to be determined by Planning staff);

3. that any changes to the size or envelope of first or second floors, or garage, which would include adding or enlarging a dormer(s), shall require an amendment to this permit;

4. that any recycling containers, debris boxes or dumpsters for the construction project shall be placed upon the private property, if feasible, as determined by the Community Development Director; 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;

5. 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;

6. 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;

7. 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;

8. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, 2016 Edition, 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:

9. 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;

10. 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;

11. that prior to scheduling the framing inspection the project architect or residential designer, or another architect or residential design professional, shall provide an architectural certification that the architectural details shown in the approved design which should be evident at framing, such as window locations and bays, are built as shown on the approved plans; architectural certification documenting framing compliance with approved design shall be submitted to the Building Division before the final framing inspection shall be scheduled;

12. that prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof ridge and provide certification of that height to the Building Division; and

13. that prior to final inspection, Planning Division staff will inspect and note compliance of the architectural details (trim materials, window type, etc.) to verify that the project has been built according to the approved Planning and Building plans.

CITY OF BURLINGAME
COMMUNITY DEVELOPMENT DEPARTMENT
501 PRIMROSE ROAD
BURLINGAME, CA 94010
PH: (650) 558-7250 ● FAX: (650) 696-3790
www.burlingame.org

Site: 1268 CORTEZ AVENUE

PUBLIC HEARING NOTICE

The City of Burlingame Planning Commission announces the following public hearing **on MONDAY, JANUARY 14, 2019 at 7:00 P.M.** in the City Hall Council Chambers, 501 Primrose Road, Burlingame, CA:

Application for Design Review for a project that was previously Denied Without Prejudice for a new, two-story single family dwelling and Special Permit for an attached garage at **1268 CORTEZ AVENUE** zoned R-1. APN 026-152-100

Mailed: January 4, 2019

(Please refer to other side)

City of Burlingame

A copy of the application and plans for this project may be reviewed prior to the meeting at the Community Development Department at 501 Primrose Road, Burlingame, California.

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.

For additional information, please call (650) 558-7250. Thank you.

Kevin Gardiner, AICP
Community Development Director

PUBLIC HEARING NOTICE

(Please refer to other side)

1268 CORTEZ AVENUE
300' Radius
APN 026.152.100