



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, January 9, 2017

7:00 PM

Council Chambers

- b. 400 Chapin Lane - Application for a Variance, Conditional Use and Special Permits for a new, two-story accessory structure with garage and guest house (Ryan Morris, Morris Architecture, applicant and architect; Richard and Christina Jones, property owners) (42 noticed) Staff Contact: Erika Lewit).

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

Planning Manager Gardiner provided an overview of the staff report.

There were no questions of staff.

Chair Loftis opened the public hearing.

Ryan Morris represented the applicant, with property owner Richard Jones.

- > *Can reduce window sizes looking onto street, reduce size of second floor, reduce plate height on first floor to 8 feet, can also talk about one-story options.*
- > *Put railing around the first floor to aesthetically match the main house. Stucco with railing above.*

Commission Comments/Questions:

- > *There are a lot of special considerations on a very large lot. Will need to see more study or ideas that don't include so many special considerations. (Morris: Began as a desire to rehabilitate what is there now rather than re-do the backyard. Some of the factors already exist. A lot of the exceptions are not new to the property.)*
- > *Variances require the most stringent findings. The variances for the second floor are new.*
- > *Question for Planning Manager Gardiner: Are there any impacts to this project based on the recent changes to state law regarding Accessory Dwelling Units (ADU)? (Planning Manager Gardiner: The project does not qualify as an ADU.)*
- > *1964 approval needs to stay with 1964. What's happening now is what should be considered.*
- > *If tree is lifting up the existing structure, would it not be a problem for the new structure as well? (Morris: Building stilts around the roots so that the foundation is floating structurally over the roots gives tree room to grow and not immediately put pressure on the building.)*

Public Comments:

Joe Gurkoff - Jones did present the plans but were not able to look at the plans until recently. The size of the building is an unavoidable problem for the neighborhood. The design would be fine if it were not so visible. Driving down Chapin Avenue will be able to see the building from far. Too large, too tall, too close to the street and too close to the adjacent property. Understands the need to work around the tree. Affects the quality of life and property values. Concern with variance setting a precedent. Concern with potential rental unit with next owner.

Carol Leninger, 405 Chapin Lane - My main issue with the house is the size and two stories. The second-story windows would look directly into my home and that's a concern for me. My big objections - I

object to the two-story structure and the height of the structure; I object there's no setback; I object to the large windows impacting the privacy of my family; I object to the large windows illuminating the area; I object there is no screening to soften the impact of the structure. I'm also concerned about the separate living quarters may require additional parking.

Kate Timberlake, 401 Chapin Lane - Same concerns as other neighbors. Has submitted letter.

Chair Loftis closed the public hearing.

Commission Discussion:

- > Applicant has heard from the neighbors. Would vote against everything except accessory structure greater than 600 sq ft, bathroom, and recreation room.*
- > Non-starter. There are 12 requests and this is not a design review application. Odd to hear about concerns with one tree on a 17,000 sq ft lot. Residents on smaller lots are able to work around tree.*
- > Could consider two one-car garages to work around the tree.*
- > Should reduce the number of requests.*
- > The existing structure is in bad shape so something different will be good. Applicant has come up with dream house but talking to neighbors it looks like it is not possible.*
- > Needs to go back and look at a different configuration.*



City of Burlingame

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501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, August 14, 2017

7:00 PM

Council Chambers

- c. 400 Chapin Lane, zoned R-1 - Application for a Variance, Conditional Use and Special Permits for a new detached garage and a new detached guest and pool house. This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(e) (Ryan Morris, Morris Architecture, applicant and architect; Richard and Christina Jones, property owners) (42 noticed) Staff Contact: Erika Lewit).

Commissioner Terrones returned to the dais.

All Commissioners had visited the property. Commissioner Comaroto communicated with the neighbors at 405 Chapin.

Community Development Director Meeker provided an overview of the staff report.

Questions of Staff:

- > *What was the purpose of the variance granted in 1964? (Meeker: believes it was a side setback variance.)*
- > *What is the reason for the limit on the number and size of accessory structures on a lot? (Meeker: ensures that the property doesn't become cluttered and that adequate open space is provided.)*
- > *Is there no requirement for a driveway leading to the garage? (Keylon: minimum parking is based upon the number of bedrooms. Generally a required uncovered parking space is located on a driveway, but can be located elsewhere on the property.)*
- > *Clarified that two covered parking spaces are provided in this instance. (Meeker: not required to provide an uncovered parking space. Keylon: have provided two covered parking spaces for the seven bedroom house; the uncovered space is non-conforming, but is allowed to be considered as it is not being altered.)*
- > *What is the difference between a accessory dwelling unit versus accessory living space. (Meeker: an accessory dwelling unit is a self-contained living space with a full kitchen. An accessory living space does not meet this criteria. Applicant is leaving their options open on how the space is used.)*

Chair Gum opened the public hearing.

Ryan Morris, and Richard and Tina Jones represented the applicant.

Commission Questions/Comments:

- > *How far is it from the tree to the fence that is to remain? (Morris: roughly fifteen feet.) Doesn't look like there is enough room to building what is proposed. How far is it from the Redwood tree to the proposed guest house? (Morris: about three feet; no closer than the existing structure. Are proposing a pier/pile construction type to avoid roots for the trees. Will need to map out the roots before placing the piers.)*

Public Comments:

Joe Gurkhoff: none of the Commissioners visited his property, nor did the architect. The aerial view shown by the applicant isn't truly representative of existing conditions. There is a creek present. The only way that they can plant trees to cover the view is to remove all existing vegetation on his property. Will be able to see it from the entire rear-yard of the property, plus the kitchen and two of the three bedrooms. The back of the house is where they live and entertain; their front yard is unusable. The current design is possibly worse than the prior design since it has a broader presence on the property line and has more of an impact from his rear yard. Would be a detraction from his property. Will be very visible from his yard and will detract from the value of the property. There is no code that requires the building to be as large as proposed. The building proposed is twice as large as what currently exists. Even the Jones's wouldn't wish to have this structure looming across their property from an adjacent site. The fence that is there currently is their fence, but is on his property line; wishes the replacement fence to match the height.

Carol Leininger, 405 Chapin Lane: appreciates changes that have been made so far, but still has other concerns. Spoke to the applicant on June 12th. The revised plan represents an anomaly in the neighborhood without setbacks. Would like the garage setback from the sidewalk many feet to soften the impact and preserve the integrity of the neighborhood. Has a large window that looks directly at the proposed structure. Will see a massive rooftop; wishes to have the structure pushed back with something planted to reduce the view.

Kate Timberlake, 401 Chapin Lane: adding the guest house and the garage will be over the amount of space permitted and the setback is less than required. Doesn't believe any of the neighbors are against the plans for any other reason than to protect the character of the neighborhood. Feels like a lot of special requests are being made. No one wishes to have an accessory structure up against their property line.

Barbara Gurkhoff: emphasized the size of the structures proposed. The applicant indicated that the space was being provided for a place for out of country relatives to stay when visiting. Not certain what the true purpose of the project really is. The only open space remaining will be along Chapin Avenue. Has an issue with calling her property line the rear of her property. Their front property line is on Chapin Lane; there is a covered walkway that leads to their front door; all openings are on Chapin Lane. There is no access to the property from Chapin Avenue. Too many exceptions being requested; looks like a strip mall.

Additional Applicant Comments:

Richard Jones: have reduced the scope of the project. Responded to comments from neighbors.

Ryan Morris: nothing to add.

Chair Gum closed the public hearing.

Commission Discussion:

- > Still having some issues with the project; corner lots are difficult and have additional restrictions placed on them by the design guidelines. Having a problem with the size of the garage; perhaps bring down the size. The total number of accessory structures is too many, particularly the 200 square foot pool equipment structure.
- > Doesn't like to see the driveway so close to the street. The garage and the accessory structure are too large. Doesn't seem right to have the structures so close to Chapin Lane. Can't go along with everything being requested.
- > Seems like the applicant is trying to fit the structures to the landscaping; perhaps look at shifting things around on the property to minimize impacts upon neighbors.
- > When reviewing the floor plan of the garage, it is only 23-feet x 23-feet; may be an error in the staff report. Commended the applicant for the significant changes made to the project.
- > Feels that the finding can be made that there is something specific about the lot that supports

approval of the variances.

- > Need to look at the totality of the development on this oversize lot; significantly below the maximum FAR and lot coverage.
- > What is proposed fits the development pattern of the zoning. When properly fenced and screened, will have little impact upon the neighbors. Is a very atypical lot. Feels it is approvable.
- > Agrees with prior Commissioner's points regarding the special circumstances. The structures are generally in the location of the existing structures and have eight-foot plate heights with low-sloped roofs. Will have pretty much the same impacts as the existing structures. The front-yard is defined by the City, not the neighbors; must evaluate based upon what is placed before the Commission.
- > Would like to see the rear property fence repaired.
- > Feels all of the findings can be made.
- > No one will come out a winner; there will be frustration on both sides. Agrees with most of the other Commissioners' comments. Primary concern is about the guest house being placed against the neighbors fence; would like more room for landscaping to screen from the neighbor.
- > Is concerned with the impact that the project has on the street itself. Would like the structures pushed back from the street.
- > Requested clarification regarding setbacks in the rear portions of the lot. (Keylon: detached accessory structures in the R1 zone are exempt from setbacks within the rear 30% of the lot. Can request a special permit to permit no setbacks within the rear 40% of the lot.)

Commissioner Sargent made a motion, seconded by Commissioner Terrones, to approve with the following additional condition:

- > The fence on the rear property line shall be repaired/replaced in consultation with the neighbor.

Discussion of Motion:

- > The garage is not beyond the rear 40% of the lot. If it were kept in its original size and location, then a variance wouldn't be required? (Meeker: once the non-conforming structure is demolished, then the new structure must be built in conformance with current regulations.) Is it required that the garage be pushed up to the property line? (Commissioners: the existence of the tree requires the garage to be pushed forward.)

Chair Gum asked for a roll call vote, and the motion carried by the following vote:

Memorandum

To: Ryan Morris
Morris Architecture

From: Sam Oakley
Certified Arborist WE-9474A
Consulting Arborist #556
925.518.2028
samoakley@arborwell.com

Subject: Design Change Review for 400 Chapin Lane, Burlingame

Date: August 8, 2017

Arborwell was asked to review the design changes proposed in the July 26, 2017 drawings for the proposed construction at 400 Chapin Lane in Burlingame, California. Specifically, to review the drawings and details as they relate to the tree protection and root protection for the *Sequoia sempervirens* (Coast Redwood) that is growing directly adjacent to the existing structure to be removed and replaced.

The project has undergone some changes since my initial *Tree Protection Plan* report, reducing the proposed 2-story structure to 2 separate 1-story structures. The construction of the proposed buildings are within the dripline of the subject tree

I have reviewed the changes in the drawing dated 07.26.17 and think that the new design is acceptable as it relates to the *Tree Protection Plan* dated 01.09.17. The *Tree Protection Plan* still applies for the proposed changes so long as the foundation of the proposed structure will be on pilings, and the entire construction site be designated an area of protection, or Tree Protection Zone (TPZ) given that most of the tree's roots extend well into the proposed structure's footprint.

I believe the tree will perform better in the proposed environment if all activity within the designated tree protection zone is performed with strict adherence to the Tree Protection Guidelines detailed in the 01.0917 report and under the direction of a Project Arborist.

Please let me know if you have any questions or concerns.

Memorandum

To: Ryan Morris
Morris Architecture

From: Sam Oakley
Certified Arborist WE-9474A
Consulting Arborist #556
925.518.2028
samoakley@arborwell.com

Subject: Tree Protection Plan for 400 Chapin Lane, Burlingame

Date: January 9, 2017

Arborwell was asked to prepare a *Tree Protection Plan* for the proposed construction at 400 Chapin Lane in Burlingame, California. Specifically, this report details the tree protection and root protection for the *Sequoia sempervirens* (Coast Redwood) that is growing directly adjacent to the existing structure to be removed and replaced.

The construction of the proposed building is within the dripline of the subject tree and the City of Burlingame's Parks Division has requested a *Tree Protection Plan* in place to protect the subject tree during all phases of construction. This arborist report is a review of the plans submitted to me on December 13, 2016, via email from Ryan Morris of Morris Architecture. I performed a site inspection on December 21, 2016.

The existing conditions and growing space for the subject tree are not sufficient for the potential that this species has to offer. Currently, the existing house wraps around three sides of the tree. The existing house is 2.7' away from the south-side of the trunk of the subject tree – 2' from the base of the trunk. At 2' above grade, a slab of plywood has been installed and the trunk has been girdling around the slab. Below grade on the south-side is a sump that was installed contiguous with the root flare. The existing house is 2.3' from the west-side of the trunk but is contiguous with the house at the root flare. There is a concrete-lined pond on the north-side of the tree that is 1' away from the base of the trunk. Cobble stone surround the base of the trunk on the east-side of the tree. The tree is lifting the foundation of the existing house and concrete structures located in direct proximity to the root flare, with evidence of structural damage extending out to the sidewalk. The tree's crown is low and directly overhangs a vast majority of the existing house.

A review of the plans issued to me, titled "Jones Residence," indicates that foundation of the proposed structure will be on pilings. It also indicates that although the west-side of the proposed structure will be in the same location as the existing house, the growing space on the north- and south-sides of the tree will increase. The growing space on the east-side of the tree remains the same dimensions. The height of the proposed structure increases from 16' and 12' to a uniform 21'.

For this project, I recommend that the entire construction site be designated an area of protection, or Tree Protection Zone (TPZ) given that most of the tree's roots extend well into the proposed structure's footprint. However, I believe the tree will perform better in the proposed environment if all activity within a designated tree protection zone is performed with strict adherence to the Tree Protection Guidelines detailed in this report and under the direction of a Project Arborist.

The following should be implemented:

All tree protection guidelines within this document should be referenced on all sheets and every contractor or subcontractor briefed on the *Tree Protection Plan*.

All demolition near the tree that has the potential to harm the tree in any way, including the subsurface root system, will be performed by hand and in a manner that minimizes the potential for injury to the tree.

The area below the foundation is to be mulched to a minimum depth of 6" and covered with plywood throughout the project until the installation of the pilings and finished floor.

The finished floor of the proposed house should be raised to compensate for future expansion of the subject trees roots.

The crown should be raised prior to construction to accommodate the height of the proposed structure.

At no time should self-propelled equipment be within the dripline of the subject tree, designated as the critical root zone (CRZ). All activity within the CRZ should be performed by hand.

If any major roots are found outside of the CRZ, the CRZ will extend into that area as well.

If shoring is involved, special shoring techniques should be employed to minimize over-excavation in order to maintain the critical root zone as much as possible.

The tree should be wrapped with orange plastic caution fencing to indicate that the tree is protected.

The growing space directly surrounding the tree will have tree protection fencing installed to prevent material from being stored or stockpiled within that area. This area should be marked with signage indicating that it is a tree protection zone.

All activity within the tree protection zone will need to be performed with strict adherence to the Tree Protection Guidelines and under the direction of the Project Arborist.

Any grasses, perennials, and shrubs proposed to be installed within the canopy footprint of the tree need to be low water-use and drought tolerant.

No more than six inches of cut or fill is to occur within the dripline of the tree.

Roots will need to be pruned by hand; any root that is two (2) inches or greater will need to be inspected and pruned under the direction of the Project Arborist. Roots two (2) inches in diameter or larger that are severed will have the stub end(s) of the root(s) cleanly cut using a sharp saw and sealed using a plastic bag tied on the end. Plastic bags will be removed at the time of backfill.

Lastly, the tree will require irrigation during construction activities and one (1) year after construction activities cease, a minimum of ten (10) gallons for each inch of trunk diameter every four (4) weeks. A bubbler irrigation system or soaker hose line is preferred for this purpose and should be adjusted monthly during the inspections.

The TPZ will need to be mulch to a depth of six (6) inches minimum and maintain mulch throughout the project but 1' away from the trunk base.

The tree should be monitored by the Project Arborist during the construction of the building. A Treatments should be adjusted, if needed, during the monthly monitoring.

If all of the aforementioned recommendations are included in the *Tree Protection Plan* and implemented through the project, I think that the survivability of the trees during this project is high. Please let me know if you have any questions or concerns.

Tree Protection Plan

The following sections are to be referred to as the *Tree Protection Plan*.

Prior to Construction

All of the following measures shall be implemented prior to any work to eliminate undesirable consequences that may result from uninformed or careless acts, and preserve both trees and property values.

The following measures shall be implemented:

1. All Plan Sheets with work near any tree to be persevered on the property, detailing any work near a tree, or where work occurs within the Tree Protection Zone (TPZ) will make reference to this document in bold so that it is clearly visible.
2. All Plan Sheets are to show accurate driplines in their entirety on all sheets where improvements and work is to occur in the TPZ
3. The General Notes sheet needs to make reference to the Tree Protection Guidelines sheet.
4. The Project Arborist (PA) is to attend the preconstruction meeting.

5. The PA or contractor shall verify, in writing, that all preconstruction conditions have been met (tree protection fencing, erosion control, pruning, etc.)
6. The demolition, grading and underground contractors, subcontractors, construction superintendent and other pertinent personnel are required to meet with the PA at the site prior to beginning specific work in a TPZ to review procedures, tree protection measures, and to establish appropriate haul routes, staging, areas, contacts, watering, etc. to maintain tree preservation.
7. Prior to any grading or construction, the PA shall assist in the setup of the TPZ.
8. Fenced enclosures shall be erected around trees to be protected to achieve three primary goals:
 - a. To keep the foliage crowns and branching structure of the trees to be preserved clear from contact by equipment, materials and activities;
 - b. Preserve roots intact and maintain proper soil conditions in a non-compacted state and;
 - c. To identify the TPZ in which no soil disturbance is permitted and activities are restricted.

Tree Protection Zone

The tree to be preserved shall have a designated TPZ identifying the area sufficiently large enough to protect the tree and roots from disturbance. The recommended TPZ area can be determined by the canopy footprint. All work that occurs in the dripline falls under the category of the TPZ. This means that work that is performed within this zone will require direct involvement of the PA. Direct involvement requires the PA to be on site for all work in the dripline to provide direction when tree roots are encountered. Improvements or activities such as paving, utility, and irrigation trenching and other ancillary activities shall occur outside the TPZ, unless authorized by the PA. Unless otherwise specified, the protective fencing shall serve as the TPZ boundaries. At no time shall tree protection be encroached without the directive of the PA.

Any tree that will have numerous improvements very close to the trunks and well within the driplines will require all work in the TPZ to utilize boring (for utilities and storm drains), pneumatic or hydraulic tools, as described in latter sections. This is necessary in order to preserve the health and structural integrity of the trees.

Improvements will be as far from any tree trunk as possible. Plans will show how the layout will help mitigate the severity of these impacts. There will not be landscape planting and the installation of underground piping and wiring inside any TPZ.

Activities prohibited within the TPZ include:

- Storage or parking vehicles, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots. Poisonous materials include, but are not limited to, paint, petroleum products, concrete or stucco mix, dirty water or any other material which may be deleterious to tree health.
- The use of tree trunks as a winch support, anchorage, as a temporary power pole, sign posts or other similar function.
- Cutting of tree roots by utility trenching, foundation digging, placement of curbs and trenches and other miscellaneous excavation without prior approval of the PA.
- Soil disturbance or grade/drainage changes
- Materials must not be stored, stockpiled, dumped, or buried inside the dripline of trees.
- Excavated soil must not be piled or dumped, even temporarily, inside the TPZ of protected trees.

Activities permitted or required within the TPZ include:

- Mulching: During construction, wood chips shall be spread within the TPZ to a six (6) inch depth, leaving the trunk clear of mulch to help inadvertent compaction and moisture loss from occurring. The mulch may be removed if improvements or other landscaping is required. Mulch material shall comply with ISA specifications. Mulching may be applied at a depth of three (3) inches prior to construction under trees where there is no landscaping or paving (landscaping shall not be installed underneath a mature tree).
- Root Buffer: When areas under the tree canopy cannot be fenced, a temporary buffer is required and shall cover the root zone and remain in place at the specified thickness until final grading stage.
- Irrigation, aeration, or other beneficial practices that have been specifically approved for use within the TPZ.

Size, Type, and Duration of Fence

The subject tree shall be protected with a four (4) foot high orange plastic fence. Fencing is to be mounted on posts driven into the ground at no more than three (3) foot spacing. For areas located directly adjacent to hardscape, instead of driving the posts into the ground, the fence can be mounted to portable stanchions. The stanchions shall be held down with rebar staples in order to avoid easy movement by equipment and construction personnel. A

closeable 36-inch entry section for servicing the TPZ shall be provided. In addition, the trunk of the tree is to be wrapped with brightly colored orange fencing, which will provide a visual reminder to workers that the trees are protected.

Types of Tree Protection for Project

Installation of the TPZ will require the following dimensions:

The fences shall enclose the entire area under the **canopy dripline or designated TPZ** of the tree(s) to be saved throughout the life of the project, or until final improvement work within the area is required, typically near the end of the project.

For areas situated directly adjacent to a **curb edge**, along said curb edge and around the dripline shall be enclosed with the required protective fencing.

Final Improvements: If the fencing must be relocated on paving or sidewalk for final improvements, the posts may be supported by an appropriate stanchions.

Duration of Tree Protection Fencing

Tree fencing shall be erected prior to demolition, grading or construction and remain in place until final inspection. Tree Protection Fencing shall be field verified by the PA before any work can begin, including grubbing, demolition, and grading. TPZ cannot be moved without the prior approval of the PA. The PA is required to notify the CA in advance if movement of the TPZ is requested and adequate reasoning behind said request.

TPZs are to remain throughout the entirety of the project.

"Warning" Signage

A warning sign a minimum of 8.5x11-inches shall be prominently displayed on each fence. The sign shall clearly state:

This is a Tree Protection Zone
Movement of this fence requires the prior authorization of the Project Arborist &
City Arborist
Any violation of the TPZ will result in a "Stop Work Order"
(List contact information for contractor and project arborist)

Pruning, Surgery and Removal

Prior to construction, trees will require that branches be pruned clear from structures, activities, building encroachment or will need to be strengthened by means of mechanical support (cabling) or surgery. This should be performed under the direction of the PA. Such pruning, surgery or the removal of trees shall adhere to the following standards:

1. Pruning limitations:

- a. Minimum Pruning: If the PA recommends that trees be pruned, and the type of pruning is left unspecified, the standard pruning shall consist of 'crown cleaning' as defined by ISA Pruning Guidelines. Trees shall be pruned to reduce hazards and develop a strong, safe framework. Prune any desiccated material from the crown.
- b. Maximum Pruning: Maximum pruning should only occur in the rarest situation approved by the PA. No more than one-fourth (1/4) of the functioning leaf and stem area may be removed within one (1) calendar year of any tree, or removal of foliage so as to cause the unbalancing of the tree. It must be recognized that trees are individual in form and structure, and that pruning needs may not always fit strict rules. The PA shall assume all responsibility for special pruning practices that vary from the standards outlined in this document.
- c. Tree Workers: Pruning shall not be attempted by construction or contractor personnel, but shall be performed by a qualified tree care specialist or certified tree worker under the direction of a certified arborist.

Activities during Construction and Demolition near Trees

Soil disturbance or other injurious and detrimental activity within the TPZ is prohibited unless approved by the PA. If an injurious event inadvertently occurs, or soil disturbance has been specifically conditioned for project approval, then the following mitigation is required:

1. Soil Compaction: If compaction of the soil occurs, it shall be mitigated as outlined in Mitigating Soil Compaction.
2. Grading Limitations within the Tree Protection Zone:
 - a. Grade changes outside of the TPZ shall not significantly alter drainage to the tree.
 - b. Grade changes within the TPZ are not permitted.
 - c. Grade changes under specifically approved circumstances shall not allow more than six (6) inches of fill soil added or allow more than four (4) inches

of existing soil to be removed from natural grade unless mitigated immediately.

- d. In some cases excavation will be necessary to accommodate the base thickness for paving, walls, footings, roads, paved plazas, etc. underneath some existing trees' driplines. This type of excavation will be removed with the assistance of an air spade and assisting hand tool, trenching at 400 to 600 PSI. An air spade will blow soil away from root systems with minimal damage.

Mitigating Soil Compaction

Compaction, inadvertent or intentional, is not allowed within the existing dripline of any protected tree without consent of the PA.

Trenching, Excavation and Equipment Use

Excavation or boring activity within the TPZ is restricted to the following activities, conditions and requirements if approved by the PA:

1. Notification. Contractor shall notify the PA a minimum of twenty-four (24) hours in advance of the activity in the TPZ.
2. Root Severance. Roots that are encountered shall be cut to sound wood and repaired. No roots of two (20 inch diameter and larger shall be cut without the prior approval of the PA. Approval is based on the distance of the root from the tree trunk and whether or not there are sufficient roots in the area to compensate for their removal.
3. Excavation. Any approved excavation, demolition or extraction of material shall be performed with equipment sitting outside the TPZ. Methods permitted are by hand digging, hydraulic or pneumatic air excavation technology. Avoid excavation within the TPZ during hot, dry weather.
 - a. If excavation or trenching for drainage, utilities, irrigation lines, etc., it is the duty of the contractor to tunnel under any roots two (2) inches in diameter and greater.
 - b. Prior to excavation for foundation/footings/walls, grading or trenching within the TPZ, roots shall first be severed cleanly one (1) foot outside the TPZ and to the depth of the future excavation. The trench must then be hand dug and roots pruned with a saw or other approved root pruning equipment by the PA.
4. Heavy Equipment. Use of backhoes, steel tread tractors or any heavy vehicles within the TPZ is prohibited

Root Severance

Cutting and removal of roots smaller than two (2) inches in diameter shall be done by chain saw or hand saw to provide a flat and smooth cut and cause the least damage possible to the root and tree's health. Cutting roots by means of tractor-type equipment or other than chain saws and hand saws is prohibited.

Proper pruning technique shall encourage callusing of the roots. Root cutting and removal shall not exceed thirty-five (35) percent of total root surface.

The Contractor shall remove any wood chips or debris that may be left over from root removal that may affect the construction of improvements.

If any roots over two (2) inches in diameter are severed during any excavation, the following procedure shall be followed:

1. The roots shall be shaded by immediately covering the entire trench with plywood, or by covering the sides of the trench with burlap sheeting that is kept moist by watering twice per day.
2. When ready to backfill, each root shall be severed cleanly with a handsaw. Where practical, they should be cut back to a side root. Immediately, a plastic bag shall be placed over the fresh cut, and secured with a rubber band or electrical tape. Shading should immediately be placed until backfilling occurs.
3. Plastic bags shall be removed prior to backfilling.
4. Backfill shall be clean, native material free of debris, gravel or wood chips.

If roots three (3) inches in diameter, or larger, are encountered during excavation, Contractor shall contact the PA immediately and request a field inspection, and obtain instruction as to how the roots should be treated. No roots three (3) inches in diameter, or larger, shall be cut and removed without prior approval from the PA. Excavation will be performed with an air spade when greater than 4" of soil is required to be removed from a dripline. Roots will be pruned according to recommendations by the PA.

Root Barrier Installation

Where paved surfaces are to be installed adjacent to tree root zones, Biobarrier® root control fabric or equal shall be used to limit the spread of future roots and control future hardscape damage. The root control fabric uses the controlled release of trifluralin, a root-inhibition herbicide that prevents the growth of roots outside of the desired root zone. To install the root control fabric:

1. Dig a minimum 3 foot trench along the area you want to protect.

2. Prune tree roots.
3. Place the root control fabric in the trench, making sure it is between the area to be protected and all roots.
4. Secure the fabric near the surface so roots do not grow over it and against the wall of the trench opposite the root source.
5. Backfill the trench and tamp it to ensure there are no gaps in the soil.
6. Always follow the detailed installation instructions that are included with the root control fabric.

Irrigation Program

To help compensate for the root loss, deep-root irrigate all trees during the dry months (any month receiving less than 1 inch of rainfall) for a minimum of one (1) year after the project is complete.

1. Irrigation is to begin immediately for all existing trees to remain.
2. An application of growth regulator (paclobutryzol) prior to construction activities will aid in the development of fine-root growth and will help counter the effects of any root damage. This should be applied immediately for all trees that are to be protected in place. This application of growth regulator shall be applied yearly for a minimum of one (1) year after the project is complete. This is to be performed by a certified tree care specialist.
3. In addition, all trees are to have roots inoculated with endo/ectomycorrhizal fungal inoculum.
4. Irrigate a minimum of ten (10) gallons for each inch of trunk diameter every month. A soaker hose or a drip line is preferred for this purpose. The first year's irrigation should be applied at the full rate. The first six (6) months of the second year, half of the rate shall be applied. The last six (6) months of the second year a quarter of the original rate will be applied. All rate adjustments will be monitored by the PA. Extra controller wires and stub outs for additional valves shall be installed for the permanent irrigation system and be available in the event that any individual tree begins to decline from water-stress after the project is complete.
5. Irrigation must also be applied during the trees' recovery period, which will be longer than the construction process. Irrigation will be beneficial to new root formation and must be performed for one (1) year after construction is complete. Refer to irrigation plans.
6. Any new irrigation for existing trees must not be designed to strike the trunks of trees, because of potential high risk of disease infection. Bubbler irrigation is preferred.
7. If any irrigation lines, drain lines, sewer lines, or any other underground features inside the existing dripline of protected trees that are to be

abandoned, they should be cut off approximately at soil grade and left in the ground.

8. Where necessary, irrigation should be installed using at least two bubblers.
9. The foliage of tree shall be kept dust-free with monthly washings, or more frequent as determined by the PA.

Damage to Trees - Reporting

Any damage or injury to trees shall be reported within six (6) hours to the PA and job superintendent or CA so that mitigation can take place. All mechanical or chemical injury to branches, trunk or to roots over two (2) inches in diameter shall be reported in the biweekly inspection report. In the event of injury, the following mitigation and damage control measures shall apply and implemented by a Certified Arborist:

- a. Root injury: If trenches are cut and tree roots two (2) inches or larger are encountered they must be cleanly cut. The end of the root shall be covered with either a plastic bag and secured with tape or rubber band. All exposed root areas within the TPZ shall be backfilled or covered within one (1) hour. Exposed roots may be kept from drying out by temporarily covering the roots and draping layered burlap or carpeting over the upper three (3) feet of trench walls. The materials must be kept wet until backfilled to reduce evaporation from the trench walls. All the above activities shall be performed by a Certified Arborist.
- b. Bark or trunk wounding: Current bark tracing and treatment methods shall be performed by a Certified Arborist within two (2) days.
- c. Scaffold branch or leaf canopy injury: A Certified Arborist will remove broken or torn branches back to an appropriate branch capable of resuming terminal growth within five (5) days. If leaves are heat scorched from equipment exhaust pipes, consult the PA within six (6) hours.

Inspection Schedule

The PA retained by the applicant shall conduct the following required inspections of the construction site:

1. Inspections shall verify that the type of tree protection and/or plantings are consistent with the standards outlined within this document. For each required inspection or meeting, a written summary of the changing tree related conditions, actions taken, and condition of trees shall be provided to the contactor.
 - a. Inspection of Protective Tree Fencing.
 - b. Pre-Construction Meeting. Prior to commencement of construction, the contractor shall conduct a pre-construction meeting to discuss tree protection with the job site superintendent, grading equipment operators, and the PA.

- c. Inspection of Rough Grading. The PA shall perform an inspection during the course of rough grading adjacent to the TPZ to ensure trees will not be injured by compaction, cut or fill, drainage and trenching, and if required, inspect aeration systems, tree wells, drains and special paving. The contractor shall provide the PA at least forty-eight (48) hours advance notice of such activity.
- d. The PA shall perform inspections every two weeks during the demolition and mass grading to monitor changing conditions and tree health. Upon completion of demolition and mass grading, the CA will determine if monthly inspections will be required in lieu of inspections every two weeks. The CA shall be in receipt of an inspection summary during the first week of each calendar month or, immediately if there are any changes to the approved plans or protection measures.
- e. Any special activity within the Tree Protection Zone. Work in this area (TPZ) requires the direct on-site supervision of the PA.

Assumptions and Limiting Conditions

While trees vary in their tolerance to changed conditions, disruption in any form of the environment to which the trees have grown accustomed, may result in adverse reaction. No assurance can be offered that if all of the recommendations and precautionary measures are accepted and followed, the desired results will be achieved. Demolition and construction activity among and near trees is inherently contrary to tree welfare. The objective of these guidelines is to provide information useful in mitigating undesirable consequences resulting

from uninformed or careless acts. If strict adherence to all recommendations is performed, we believe this project will be successful.

The following are limitations to this report:

- All information presented herein covers only the trees examined at the area of inspection, and reflects the condition observed of said trees at the time of inspection.
- Observations were performed visually without probing, dissecting, coring, or excavation, unless noted above, and in no way shall the observer be held responsible for any defects that could have only been discovered by performing said services in specific area(s) where a defect was located.
- No guarantee or warranty is made, expressed or implied, that defects of the trees inspected may not arise in the future.
- No assurance can be offered that if the recommendation and precautionary measures are accepted and followed, that the desired results may be attained.
- No responsibility is assumed for the methods used by any person or company executing the recommendations provided in this report.
- The information provided herein represents an opinion, and in no way is the reporting of a specified finding, conclusion, or value based on the retainer.
- This report is proprietary to Arborwell, Inc., and may not be reproduced in whole or part without written consent. This report has been prepared exclusively for use of the parties to which it has been submitted.
- Should any part of this report be altered, damaged, corrupted, or lost, the entire evaluation shall be invalid.



APPLICATION TO THE PLANNING COMMISSION

Type of application:

☐ Design Review ☒ Variance ☐ Parcel #: 028-282-110
☒ Conditional Use Permit ☒ Special Permit ☐ Zoning / Other: _____

PROJECT ADDRESS: 400 CHAPIN LANE

APPLICANT

Name: MORRIS ARCHITECTURE

Address: 12 CORBIN CT.

City/State/Zip: MILLBURN, NJ 07041

Phone: 908.995.1360

E-mail: ryan@morris-arch.com

PROPERTY OWNER

Name: MICHAEL & TINA JONES

Address: 400 CHAPIN LANE

City/State/Zip: BURLINGAME, CA 94010

Phone: 650.243.4654

E-mail: roseminametals.com

ARCHITECT/DESIGNER

Name: RYAN MORRIS / MORRIS ARCHITECTURE

Address: _____

City/State/Zip: _____

Phone: _____

E-mail: _____

Burlingame Business License #: 31263

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: REPLACE (E) DETACHED GARAGE & GUEST HOUSE w/ (H)

1.5 STORY GARAGE/STORAGE & GUEST HOUSE.

WIDEN (E) DRIVEWAY CURB CUT & REMOVE (E) LANDSCAPE PLANT.

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: 7/28/16

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: 7/20/2016

Date submitted: 7/28/16

SPECIAL PERMIT APPLICATION – SUPPLEMENTAL LETTER

Project Address: 400 Chapin Lane

Date: 12.27.16

Special Permit for CS 25.26.035e, (an accessory structure that is in the rear of the lot and that is more than twenty-eight (28) feet in width or depth).

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.
 - a. The new structure will be a similar footprint to the existing structure (the existing structure already exceeded 28' in width), due to the limitations created by the existing redwood tree and property line. The new structure is no closer to the rear (west) or side (south) property lines, and is only enlarged toward the interior of the property, which has minimal impact on adjacent neighbors.
 - b. The existing structure is 50'-9" in length, and the new structure will be 55'-8 ½" in length. In relation to the existing structure, the additional 5' of length is only affected by the increased size of the garage, which was necessary for 2 compliant covered parking spaces
 - c. The new structure will be taller in height since it is proposed to be 2 stories, but it has a flat roof to minimize mass, and guardrails around the first floor roof that visually minimize the 2nd story bulk.
 - d. The 2nd story will be set back from the street as much as possible, and where 2 story walls are proposed near the street, they will be screened by an existing 8' tall fence (approved by previous variance in 1964) that will help visually reduce the mass. A guardrail around the 1st floor roof decks further helps to screen and diminish the height of the 2nd floor walls.
2. Explain how the variety of roof line, façade, exterior finish materials and elevations of the proposed new structure or addition are consistent with the existing structure, street and neighborhood.
 - a. The immediate neighborhood on Chapin Ave. is comprised of a variety of historic, large scale 2 story homes near the street frontage, and this structure will be a smaller version, complementing the existing architecture on the property.
 - b. The existing garage has wood siding and trim that have similar shapes and proportions of the main house.
 - c. The existing Japanese tea cottage has no relation to any structure.

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CDD-PLANNING DIV.

- d. The new structure will match existing siding materials, colors, and details of the existing main house. Pebbled stucco, with painted white trim, and ornate rooftop railings will match the existing house.
3. How will the proposed project be consistent with the residential design guidelines adopted by the city (C.S. 25.57)?
- a. The architectural style of the main house is preserved, and the overall property is enhanced by being more unified.
 - b. The parking is improved by providing 2 fully compliant covered spaces in addition to the 1 existing uncovered space.
 - c. The ideal location of the structure is inconvenient between a tree and the property line, but it is set back and screened from neighboring properties as much as possible.
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.
- a. No tree removal.

VARIANCE APPLICATION – SUPPLEMENTAL LETTER

Project Address: 400 Chapin Lane

Date: 12.27.16

Variance for CS 25.26.072 e2, (Corner lot, side setback to first floor shall be 7.5' to exterior side property line.)

- This is an existing Variance approved on 1/10/64, "To permit construction of Sauna Bath in present tool shed within one (1) foot of side property line; to build garden house on existing concrete slab within two (2) feet of side property line and to construct a fence in excess of permitted height."

Variance for CS 25.26.072 e3, (Corner lot, side setback to second floor shall average 12', and be no closer than 7.5' from the side property line.)

1. Describe the exceptional or extraordinary circumstances or conditions applicable to your property which do not apply to other properties in this area.
 - a. The existing garage, garden house, and sauna bath have been in their current location since at least since 1964 when a Variance was approved to add on to the existing detached garage.
 - b. The existing redwood tree has also been in it's location for much longer, and we have no intent of removing it.
 - c. The existing rear yard is fully landscaped with a pool, patio, deck, and parking area which make a single story addition undesirable due to the impact it will have on the yard.
 - d. We determined that adding a 2nd story was the optimal solution to revitalize the existing structure in it's existing location, and preserve the variance that is attached with it, while at the same time creating the least amount of disturbance to the existing rear yard landscape.
 - e. The average 12' setback required for a 2nd story over a building in this location would not allow for enough room to add a staircase and habitable room over the building footprint, so we determined the variance was unavoidable.
2. 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.
 - a. Locating the desired addition in any other area of the rear yard would require significant alterations to the rear yard, or the removal of the 5' diameter redwood tree.
3. 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.

- a. There are no changes to the use or location of the parking spaces proposed, therefore there are no impacts to nearby properties or the public.
 - b. The available street parking is actually increased as a result of this proposal, by moving the garage curb cut closer to the existing uncovered parking area curb cut.
 - c. Each of the 4 properties that are accessed by Chaplin Lane do not have significant views onto the street, and instead each property has garages and parking areas facing the street. Therefore the proposed 2nd story has minimal impact on neighbor's privacy or views.
4. 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?
- a. The immediate neighborhood on Chapin Ave. is comprised of a variety of historic, large scale 2 story homes near the street frontage, and this structure will be a smaller version, complementing the existing architecture on this property and the neighborhood.
 - b. The new structure will be a similar footprint to the existing structure, due to the limitations created by the existing redwood tree and property line. The new structure is no closer to the rear (west) or side (south) property lines, and is only enlarged toward the interior of the property.
 - c. The existing garden house has a tall pitched roof, and even the existing garage has a tall 12'+ roof height. The proposed 2nd story will only be 5'-4 1/2" taller than the peak of the existing roof, with the mass concentrated in the center of the building.
 - d. With the existing 8' tall fence in front, and the low hanging branches of the redwood tree above providing shade, the mass of the 2nd story will be even less apparent than in an open, exposed area.

CONDITIONAL USE PERMIT APPLICATION – SUPPLEMENTAL LETTER

Project Address: 400 Chapin Lane

Date: 12.27.16

Conditional Use Permit for CS 25.60.010 a, b, c, g, h, j, m

- CS 25.60.010 a - Two or more accessory structures having over 100 sf (already existing condition)
 - o While the proposed structure has a larger area than the existing structure, the footprint is minimally expanded, and the mass is concentrated over the center of the structure. This avoids an undesirable single story 'sprawling' structure that occupies twice as much of the rear yard. The additional floor area was necessary to achieve the goals of the owners, providing additional storage and comfortable but separate living and sleeping areas in the accessory living quarters.
 - o An addition to the main house was considered to accommodate the improved accessory living quarters, but the impact of an addition to the existing spaces in the home is not desirable, and the accessory structure needs to be rebuilt anyway.
- CS 25.60.010 b - Any single structure exceeds 600 sf (already existing condition)
 - o See explanation above
- CS 25.60.010 c - All accessory structures on the lot exceed 800 sf (already existing condition)
 - o See explanation above
- CS 25.60.010 g - The plate line of the accessory structure will be more than 9' above grade (already existing condition)
 - o The plate height of the existing garage is about 11'-6" tall, and the tea house is about 8' tall above their finish floors. The proposed first floor plate height will be 9' above finish floor at the living quarters and 10' above the garage slab. The 2nd floor plate height will be 8' tall, but the mass and bulk are visually reduced by the fence, guardrails, and being set back from the street, as described in other parts of this application.
- CS 25.60.010 h - The roof height of the accessory structure will exceed 10' above grade (already existing condition)
 - o The proposed roof height of the new 2nd story is 5'-4 ½" taller than the ridge of the existing structure at the peak, and 4'-10 ½" taller at each side. The 2nd story Storage room over the garage is set back significantly from the street, and screened by a guardrail, which both help the 2nd story appear smaller. Even though the first floor roof guardrails exceed the 10'-height,

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they serve to minimize the appearance of the 2nd floor, and complement the existing main house architecture.

- The existing tea house is hardly noticeable with the existing 8' tall fence in front and overhanging tree branches shading it. We believe the impact of the 2nd story will be similarly concealed by the fence and tree. But the portions of the structure which are visible from the street will not be unlike all of the other structures with street frontage in this neighborhood, so even though it is an accessory structure, it is on a corner lot and will complement the surrounding neighborhood.
- The impact on adjacent neighbors will be minimal since most of the immediate structures are garages or do not have primary views toward the accessory structure.
- CS 25.60.010 i – Glazed openings within 10' of the property line or any glazed opening higher than 10' above grade (already existing condition)
 - The existing structure has 2 windows within 10' of the property line, and they are perpendicular to it, and hidden by fencing.
 - The proposed structure has 4 windows within 10' on the first floor. 2 are perpendicular to the property line and all 4 will be hidden by fencing.
 - The proposed structure has 8 windows on the second floor, 4 of which are facing Chapin Lane (1 at the bedroom, 1 at the staircase, and 2 at the garage storage).
 - All of the new windows are desirable for natural daylight and creating interest on the building façade. Where possible, the rooms have been arranged so they are oriented toward the back yard rather than the street.
- CS 25.60.010 j - Water or sewer connections for a shower, bath, or toilet (already existing condition)
 - The existing structure has a full bath, in addition to a hot tub and sauna. The proposed structure will have 1.5 baths and wet bar. The half bath downstairs is designed for convenience between the two floors.
- CS 25.60.010 m - Any portion of the structure will be used as accessory living quarters or recreation purposes (already existing condition)
 - The area of the proposed family room (less the staircase) is only 45sf larger than the existing tea house. The guest bedroom, bathroom, and garage storage upstairs are the main reason for this project.

1. 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.
 - a. The proposed use is the same as the existing garage and guest house use, only larger.

- b. The on-site parking will be increased without impacting available street parking.
 - c. No changes to public health or safety or general welfare or convenience.
2. How will the proposed use be located and conducted in accordance with the Burlingame General Plan and Zoning Ordinance?
- a. The existing structure does not comply with current zoning setback or parking requirements, yet it was approved with a variance in 1964. The proposed use will have the same constraints as the previous structure, but will improve parking, and improve the structure's functionality for the owners.
3. 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?
- a. The immediate neighborhood on Chapin Ave. is comprised of a variety of historic, large scale 2 story homes near the street frontage, and this structure will be a smaller version, complementing the existing architecture on the property.
 - b. The new structure will be a similar footprint to the existing structure, due to the limitations created by the existing redwood tree and property line. The new structure is no closer to the rear (west) or side (south) property lines, and is only enlarged toward the interior of the property, which has minimal impact on adjacent neighbors.

RESOLUTION APPROVING CATEGORICAL EXEMPTION, CONDITIONAL USE PERMIT, SPECIAL PERMIT, AND 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 a Conditional Use Permit, a Special Permit, and a Variance for two new detached accessory structures at 400 Chapin Lane, Zoned R-1, Richard and Christina Jones, property owners, APN: 028-252-110;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on February 11, 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 (e) of the CEQA Guidelines, which states that construction or conversion of limited numbers of new, small facilities or structures including accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences is exempt from environmental review, is hereby approved.
2. Said Conditional Use Permit Special Permit, and Variance are approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Conditional Use Permit, Special Permit, and 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 11th day of February, 2019 by the following vote:

Secretary

EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Conditional Use Permit, Special Permit, and Variance

400 Chapin Lane

Effective February 22, 2019

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1. that the non-garage accessory structure shall not include a cooking unit and that this accessory structure shall not be used for living purposes as an accessory dwelling unit without the property owner first amending the required Planning and Building permits and obtaining an Accessory Dwelling Unit permit from the Planning Division;
2. that the project shall be built as shown on the plans submitted to the Planning Division dated January 30, 2019, sheets A0.1 through A3.3; including that there shall be no cooking unit in the accessory structure and that there shall not be a separate electric meter for the accessory structure;
3. that if either accessory structure (garage or accessory living quarters) is demolished or the envelope changed at a later date the Conditional Use Permit, Special Permit, and Variance shall be void or shall be amended to reflect the changes;
4. that the January 19, 2017 Certified Arborist report and August 8, 2017 Addendum shall be approved by the Parks Department at the time of Building Permit application and that the reports shall be included in all plan sets, including the job site copy of the plan set;
5. that the property owner shall be responsible for implementing and maintaining all tree protection measures as defined in the January 19, 2017 Arborist Report, including having an Arborist meet with and brief construction personnel regarding the tree protection measures prior to demolition or construction on the site; and that prior to any demolition or construction on the site, each of the tree protection measures will be installed and inspected by a Certified Arborist and a letter of compliance will be submitted to the City Arborist;
6. that should the existing Protected size Redwood Tree on site be removed or be determined to need to be removed, the property owner shall first submit an amendment to the approved Conditional Use Permit, Special Permit, and Variance application to the Planning Commission; and the owner shall apply for and be granted a Protected Size Tree Removal permit from the Parks Division as part of the amendment application;
7. that a certified arborist shall be on site during any demolition, grading, digging, root cutting, or tree trimming activities that take place within the designated tree protection zones, including the digging of the pier holes for the piling foundation, and the City Arborist may also stop work for any violation of the conditions related to the protection, conservation and maintenance of the Redwood tree on the site;
8. 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;
9. 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;

EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Conditional Use Permit, Special Permit, and Variance

400 Chapin Lane

Effective February 22, 2019

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10. 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; and
11. that the project shall meet all applicable requirements of the California Building and Uniform Fire Codes, as amended by the City of Burlingame.



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

Site: 400 CHAPIN LANE

The City of Burlingame Planning Commission announces the following public hearing on **MONDAY, FEBRUARY 11, 2019** at **7:00 P.M.** in the City Hall Council Chambers, 501 Primrose Road, Burlingame, CA:

Application for Variance, Conditional Use and Special Permits for a new detached garage and a new detached guest and pool house at **400 CHAPIN LANE** zoned R-1. APN 028-282-110

Mailed: February 1, 2019

**PUBLIC HEARING
NOTICE**

(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)

400 Chapin Le.

300' Radius

APN #028.282.110

