



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, December 10, 2018

7:00 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. Staff in attendance: Community Development Director Kevin Gardiner, Planning Manager Ruben Hurin, Senior Planner Catherine Keylon and City Attorney Kathleen Kane.

2. ROLL CALL

Commissioner Gaul arrived at 7:09 p.m.

Present 7 - Sargent, Loftis, Kelly, Comaroto, Gaul, Terrones, and Tse

3. APPROVAL OF MINUTES

There were no minutes to approve.

4. APPROVAL OF AGENDA

> *Item 8a - Consideration of an Ordinance Adopting Residential Impact Fees for New Residential Development has been continued to the January 14, 2019 Planning Commission Meeting.*

5. PUBLIC COMMENTS, NON-AGENDA

There were no public comments on non-agenda items.

6. STUDY ITEMS

- a. 1101 Rosedale Avenue, zoned R-1 - Application for Special Permit and Parking Variance for reduction of off-street parking on site. (Martin Miller, applicant, property owner, and designer) (91 noticed) Staff Contact: 'Amelia Kolokihakaufisi

Attachments: [1101 Rosedale Ave - Staff Report](#)

[1101 Rosedale Ave - Attachments](#)

[1101 Rosedale Ave - Plans](#)

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.

> *If we were to consider a Variance for parking within the front setback, would that then eliminate the need for the Variance for parking being requested? (Hurin: Yes, it would eliminate the Variance for not providing the number of parking spaces required.)*

> *The applicant is not applying for a Variance to legalize the parking within the front setback, correct? (Hurin: That is correct. The proposed application includes adding a planter strip along the edge of that*

parking space to prevent someone from parking there.)

Acting Chair Comaroto opened the public hearing.

Martin Miller, represented the applicant.

Commission Questions/Comments:

There were no questions from the Commission.

Public Comments:

There were no public comments.

Acting Chair Comaroto closed the public hearing.

Commission Discussion:

> *See no issues with the Special Permit to reduce the number of parking spaces on-site. This is a unique lot and this is a reasonable way to use the space and provide full enjoyment of the property.*

> *Not meeting the minimum parking requirement is difficult to support. See the downside of using the alternate parking space in the front setback, however think the benefit to the community outweighs that. Therefore, would be in support of having the applicant return with a Variance for parking within the front setback rather than providing just one parking space on-site.*

Commissioner Sargent made a motion, seconded by Commissioner Tse, to place the item on the Regular Action Calendar with the direction to the applicant to change the Variance application from reducing the parking on-site to providing a parking space in the front setback not leading to a garage or carport. The motion carried by the following vote:

Aye: 6 - Sargent, Loftis, Kelly, Comaroto, Terrones, and Tse

Absent: 1 - Gaul

7. CONSENT CALENDAR

Commissioner Terrones was recused from Item 7d - 1025 and 1029 Capuchino Avenue, as he lives within 500 feet of the subject properties.

- a.** Adopt Planning Commission Calendar for 2019 – Staff Contact: Ruben Hurin

Attachments: [2019 Planning Commission Memorandum](#)

[2019 Planning Commission Schedule](#)

[2019 City Council Calendar - Draft](#)

- b.** 1304 Mills Avenue, zoned R-1- Application for One Year Extension of a previously approved application for Design Review for a first and second story addition to an existing single-family dwelling. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (e)(2) of the CEQA Guidelines. (Melina Copass, applicant and designer; Matt and Lauren Fleming, property owners) (66 noticed) Staff Contact: Catherine Keylon

Attachments: [1304 Mills Ave - Staff Report & Attachments](#)
[1304 Mills Ave - Plans](#)

- c. 1648 Barroilhet Avenue, zoned R-1- Application for Design Review for a new two-story single family dwelling (existing detached garage to be retained). This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (a). (TRG Architects, Randy Grange, applicant and designer; Debbie and William Clifford, property owners) (105 noticed) Staff contact: Sonal Aggarwal

Attachments: [1648 Barroilhet Ave - Staff Report](#)
[1648 Barroilhet Ave - Attachments](#)
[1648 Barroilhet Ave - Historic Resource Evaluation](#)
[1648 Barroilhet Ave - Plans](#)

- d. 1547 Los Altos Drive, zoned R-1 - Application for Design Review, Special Permit for attached garage, and Hillside Area Construction Permit for a first and second story addition to an existing single family dwelling and new attached garage. This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (e) (1). (Studio 797, Jared Kuykendall, architect; Flora Lee and Jonathan Wan, applicant and property owners) (73 noticed) Staff contact: Sonal Aggarwal

Attachments: [1547 Los Altos Dr - Staff Report](#)
[1547 Los Altos Dr - Attachments](#)
[1547 Los Altos Dr - Plans](#)

Commissioner Sargent made a motion, seconded by Commissioner Kelly, to approve Items 7a through 7d on the Consent Calendar. The motion carried by the following vote:

Aye: 7 - Sargent, Loftis, Kelly, Comaroto, Gaul, Terrones, and Tse

- e. 1025 and 1029 Capuchino Avenue, zoned R-2 - Application for a One Year Extension for a previously approved application for a Conditional Use Permit for re-emerging lots, Design Review and front setback Variances for two new duplex residential units on two separate lots. This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (a). (Ed Breur, TRG Architects, applicant and designer; Kurt Steil, property owner) (70 noticed) Staff Contact: Erika Lewit

Attachments: [1025 and 1029 Capuchino Ave - Staff Report](#)
[1025 and 1029 Capuchino Ave - Attachments](#)
[1025 and 1029 Capuchino Ave - Plans](#)

Commissioner Sargent made a motion, seconded by Commissioner Comaroto, to approve Item 7e on the Consent Calendar. The motion carried by the following vote:

Aye: 6 - Sargent, Loftis, Kelly, Comaroto, Gaul, and Tse

Recused: 1 - Terrones

8. REGULAR ACTION ITEMS

- a. Consideration of an Ordinance Adopting Residential Impact Fees for New Residential Development - This item has been continued to the January 14, 2019 Planning Commission Meeting.

> *Item 8a - Consideration of an Ordinance Adopting Residential Impact Fees for New Residential Development has been continued to the January 14, 2019 Planning Commission Meeting.*

- b. 1245 Cabrillo Avenue, zoned R-1 - Application for Amendment to Design Review for changes to a previously approved first and second story addition to an existing single family dwelling and new detached garage. This project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (a). (Eric and Jennifer Lai, applicants and property owners; Chu Design Associates Inc., designer) (113 noticed) Staff Contact: Ruben Hurin

Attachments: [1245 Cabrillo Ave - Staff Report](#)

[1245 Cabrillo Ave - Attachments](#)

[1245 Cabrillo Ave - Plans](#)

Commissioner Kelly was recused from this item as he lives within 500 feet of the subject property.

All Commissioners had visited the project site. Commissioner Comaroto indicated that she had met with the adjacent neighbor to the south. Commissioner Sargent indicated that he had also met with the adjacent neighbor to the south and the applicant.

Planning Manager Hurin provided an overview of the staff report.

> *Understand that the applicant was directed to stop work on the nonconforming wall. Was a stop work order issued for the entire project? (Hurin: The Building Division issued a partial stop work order for the nonconforming wall along the left side of the house; applicant was allowed to work on the remaining portion of the house at their own risk.)*

> *On existing walls that are located within the required setback, how much of the wall can be removed before it needs to conform to current code setback requirements? (Hurin: The foundation and framing needs to be kept; the exterior siding and drywall may be removed.)*

> *It appears that the framing between foundation and lower floor on a portion of a nonconforming wall at the front of the house has been replaced, so it that considered to be a wall replacement and therefore subject to current code requirements? (Hurin: Planning and Building Division staff would need to review the details of what has been replaced in order to determine if it is considered to be a new wall.)*

James Chu, represented the applicant, along with Eric Lai, property owner.

Commission Questions/Comments:

> *Your are proposing to comply with the required side setback of four feet along the left side property line and to maintain the existing plate height by changing the roof pitch to accommodate the narrower house width, correct? (Chu: Correct.)*

> *The cripple wall along the living room at the front of the house has been replaced. The floor framing in this area is rotted as well and the window header will need to be replaced. It appears that most of the living room wall will need to be replaced. (Chu: The original purpose of preserving the existing wall was to*

retain the existing nonconforming front setback; could reframe the wall to make the house better.)

> Who is maintaining responsible control over the work site and its current condition? (Chu: The contractor is the person responsible over the work site. Designer has not been hired to oversee the project during construction.) Is the contractor present tonight? (Chu: No.)

> Would like to note that there are several conditions of approval that require milestones to be verified both by the surveyor and architect, so there are multiple people involved.

> At various points during construction, certain verifications are required. Concerned that property owners don't do this for a living, so they are at the mercy of the contractor and professionals completing the construction. Concerned that the contractor has made a gaffe like this and still expected that they will maintain control. (Chu: One of the conditions of approval includes that prior to the framing inspection, a professional needs to inspect the construction to make sure that the architectural elements are built according to the approved plan and that the project is in compliance with FAR. In this case, everything happened during the demolition stage, prior to requiring any sort of verification.)

> Moving forward, what gives us the confidence that whatever gets approved will be built? Not feeling confident about that right now. (Chu: Contractor is a local developer who has lived in Burlingame for many years and has built several new homes in Burlingame. However, he may not have had experience with a remodel/addition project as detailed as this, requiring existing nonconforming walls to be retained.)

> Is contractor licensed? (Chu: Yes.) (Lai: Asked contractor to attend the meeting tonight, but he did not come.)

> When originally approved project, quite a bit of the house was going to remain. There were a lot of pre-existing conditions, including the setbacks and plate heights which were in place but not being specifically reviewed. Can't see us approving a nearly 10-foot plate height on a raised floor. Have you looked at lowering the plate height to 9 feet? (Chu: Yes, we can consider doing that if it would help us get an approval.)

> On the proposed Left Elevation, there is a window well towards the rear of the house with a shoulder on the Rear Elevation, so it may force the end window in a bit. Shoulder on long, tall gable along left side will be fine because it will help dormers settle into the roof. But will be limited with gabled dormer towards the front of the house along the left side with how much roof you have cutting into just below the sill. May want to think about reducing the height of the windows, making them smaller, so you have enough roof to cut into the bottom dormer and bring up the bottom edge up a bit. (Chu: Yes, will consider doing that.)

> Did you see letter from Sally Brown and Philip Ross regarding stabilizing the creek at the rear of the lot for construction of the garage? (Chu: Yes, we made some changes to the foundation of the garage, instead of a spread footing will be using a pier and grade beam foundation to disturb less of the soil in the area. There is also erosion control in place.)

> Will there be a soils report submitted? Who would validate the stabilization of the creek? (Lai: Hired Precision Engineering to prepare the soils report.) (Hurin: The Engineering Division is reviewing this issue and will contact the applicant if any additional measures are required.)

Public Comments:

Frank and Robin Knifsend, 1243 Cabrillo Avenue: Appreciate modifications made, but the changes are small and don't directly address key concerns about the massing and scale of the project. From our view the house is massive and is built to the maximum allowed criteria. One of the biggest issues we have is that we don't trust the plans, there are many inconsistencies. The path they took to get to this point was making misleading statements directly to us, as well as in the planning process, about keeping the existing structure. 85% or more of the existing structure is gone and down to the subfloor, that's a pretty big accident that took place of several weeks. There are a lot of call-outs on the plans and labeled existing on the proposed structure, and would content that not one element on the back 80% of the house is to the original existing floor heights, ceiling heights, and plate heights. On proposed building elevations, indicated plate height lines don't match to what is drawn. Took them at their word, see the proposed plans with many references to existing conditions, used the existing structure as a story board for the plans that they were going to build. Now see what has actually been framed, measured wall myself and determined that it was built one foot taller than approved. Concerned with what the plans do and don't shown, questionable communication from the applicant, and what the contractor has done up to this point. Don't

have a lot of confidence going forward that we're not going have this massive structure next to us.

Gene Bordegaray, neighbor across the street: Realize there have been some mitigations measures to try to get the project back into conformance. However, in looking at the proposed plan, the massing of the wall adjacent to the left side neighbor is huge, measuring 25 feet tall and 50 feet long and only 4 feet away from the fence. Can't really appreciate how that will look because there is nothing to show us that right now. Suggest installing story poles and netting to show massing along left side property line to give a better sense of how intrusive that wall will be from their side of the property line.

Bill Howell, 1424 Benito Avenue: When we remodeled house, our contractor made us to stick to the rules. This is an intimidating process, but there is a fundamental trust that when plans are approved, one expects that the house will be built as shown on the approved plans; most people abide by that rule. Was at neighbor's house and saw the wall near the fence, doesn't feel natural because it's so high relative to the driveway.

Chair Gaul closed the public hearing.

Commission Discussion:

- > Glad to be reviewing these revisions and not the revisions previously proposed. Also glad to see that the intent is to comply with the side setback.
- > What is before us now is simply an amendment to design review. However, there some revisions that could possible occur, but also additional information needs to be shown and corrected on the plans so that we know what we're approving.
- > Moving forward, as standard procedure there will need to be certification of the framing provided by a professional confirming that what has been built is consistent with the approved plans.
- > House is approximately 5 feet above adjacent grade and is similar to other houses nearby. Houses to the right and left are elevated above grade. So project would benefit from reducing the plate height to 9 feet.
- > Would like to see exactly what plate height we are being asked to consider for the dormers on the second floor, because we have an indication on the drawings that say 8'-1" but it says "existing top plate", however if that top plate no longer exists it doesn't matter. Need to clarify plate of dormers on second floor; needs to be corrected and made accurate so that everyone knows what were are reviewing and approving as the project moves forward.
- > Not prepared at this point to move forward with an approval, but am accepting of the general intent of the changes proposed along the left side of the house to bring it into compliance with setback requirements.
- > Concerned with the way the dormers are treated on the second floor along left side in that it creates another tall, flat surface; caused by window wells to make windows taller. Suggest that the roof slope run up to hit the wall and windows be made smaller. It would appear to be a much smaller wall if the vertical surface stopped at a certain point, the roof sloped away, and the windows were in a small wall that was pushed way back on the roof. As proposed, the window wells that are cut out are exposing a tall wall on top of another tall wall. Dormers along left side of house need to be rethought to reduce the apparent height of the wall.
- > Agree with most comments made. However, not convinced that the design of the dormers need to be rethought if they are in compliance with code requirements.
- > Provide at least one section to understand what is happening on the second floor.
- > Correct drafting error for plate height shown at family room, shown at 9'-0" but building elevations still show it at 9'-10".
- > Nonconforming front wall also needs to be addressed since the required front setback is several feet further back.
- > Left side elevation is tall and flat, so would like to see some articulation there.
- > Concerned about front wall; Planning and Building Divisions should review how much has been done to the wall; may need to apply for a Variance to retain it.

- > *Would be helpful to have the contractor frame an 8 foot section of wall with a 9 foot plate height to give the Commission and neighbors a visual of what is being proposed.*
- > *Disappointed that this house got this far away from the original house.*

Commissioner Sargent made a motion, seconded by Commissioner Terrones, to continue the application with the following direction:

- > Request that staff investigate the front wall and determine whether a variance or change is required.
- > Reduce plate height to 9 feet.
- > Provide additional details on the plans as requested during the discussion.
- > Provide building section through the dormers to provide a clear understanding of the massing in this area.

Commission Discussion:

- > *Would like to reiterate concern of apparent height of the dormer wall due to the window wells. It might be fine to cut a section through there, but would like applicant to really consider refining the dormers.*

The motion carried by the following vote:

Aye: 6 - Sargent, Loftis, Comaroto, Gaul, Terrones, and Tse

Recused: 1 - Kelly

- c. 1341 De Soto Avenue, zoned R-1 - Application for Design Review for a new, two-story single family dwelling and Conditional Use Permit for a half-bath in the detached garage. This project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15303 (a) of the CEQA Guidelines. (Tim Raduenz, Form + One Design, applicant and designer; Jeff Diana, property owner) (123 noticed) Staff Contact: 'Amelia Kolokihakaufisi

Attachments: [1341 De Soto Ave - Staff Report](#)
[1341 De Soto Ave - Attachments](#)
[1341 De Soto Ave - Plans](#)

All Commissioners had visited the project site. Commissioner Comaroto indicated that she had met with the applicant.

Senior Planner Keylon provided an overview of the staff report.

- > *What is the policy for skylights on accessory structures located within 10 feet of property line? (Keylon: A conditional use permit is required for any type of glazing, skylights or windows on an accessory structure within 10 feet of a property line.)*
- > *There is no application for a conditional use permit on this project, correct? (Keylon: Correct.)*

Chair Gaul opened the public hearing.

Tim Raduenz, project designer, represented the applicant.

Commission Questions/Comments:

- > *Is there a skylight proposed in the detached garage? (Raduenz: No, the plans show a pull-down ladder*

to provide access to the attic space in the garage.)

Public Comments:

There were no public comments.

Chair Gaul closed the public hearing.

Commission Discussion:

- > *Really like this project.*
- > *Like changes made to the project.*
- > *Appreciate applicant speaking to the neighbor regarding providing additional space behind the detached garage.*

Commissioner Terrones made a motion, seconded by Commissioner Loftis, to approve the application.

Commission Discussion:

- > **Like the project overall, but would still like to see a deeper front porch.**

The motion carried by the following vote:

Aye: 6 - Loftis, Kelly, Comaroto, Gaul, Terrones, and Tse

Nay: 1 - Sargent

- d. 1464 Balboa Avenue, zoned R-1- Application for Design Review for a new, two-story single family dwelling and detached garage. This project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15303 (a) of the CEQA Guidelines. (Chu Design & Associates, applicant and designer; Matt Nejasmich, property owner) (135 noticed) Staff Contact: Michelle Markiewicz

Attachments: [1464 Balboa Ave - Staff Report](#)
[1464 Balboa Ave - Attachments](#)
[1464 Balboa Ave - Plans](#)

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

Senior Planner Keylon provided an overview of the staff report.

There were no questions of staff.

James Chu, represented the applicant, along with Matt Nejasmich, property owner.

Commission Questions/Comments:

- > *Asked applicant to clarify that rendering submitted are correct. (Chu confirmed rendering is correct.)*
- > *Plans show a 9'-6" first floor plate height, but it is drawn below the lowest point of the fascia. Please explain. (Chu: Reason is that when designing a house where the second floor floor wall is set in and not directly above a first floor support wall, a beam is needed to carry the load out to the first floor support wall. In order to avoid too many notches in the beam, the roof rafters are typically set on top of the beam, which explains the extra spacing above the first floor plate.)*

- > Column bases at front porch look really massive, appear to scale at 24 inches wide. Is that the intended dimension? Plans should be revised if they are intended to be smaller. (Chu: Bases should be 18 inches wide.)
- > How much exposure will there be on the shingles? Exposure shown on the renderings are much larger than on the building elevations. (Chu: Should be a 4 to 6-inch exposure.) Please clarify the exposure on the plans.

Public Comments:

There were no public comments.

Chair Gaul closed the public hearing.

Commission Discussion:

- > *This is a good looking project and fits in well with the neighborhood.*

Commissioner Gaul made a motion, seconded by Commissioner Tse, to approve the application. The motion carried by the following vote:

Aye: 7 - Sargent, Loftis, Kelly, Comaroto, Gaul, Terrones, and Tse

- e.** 1838 El Camino Real, Suite 180, zoned ECN - Application for Parking Variance to convert an existing office space into a health service use (medical office). This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(a). (Lemi Medical Center, applicant; Nolan Wong, property owner; Jack Tam, Team 7 International, architect) (36 noticed) Staff Contact: 'Amelia Kolokihakaufisi

Attachments: [1838 El Camino Real Suite 180 - Staff Report](#)
[1838 El Camino Real Suite 180 - Attachments](#)
[1838 El Camino Real Suite 180 - Plans](#)

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.

Dr. Nani Kanen and Ann Strain, represented the applicant.

- > *Understand that the detoxification process is difficult. What is the process for patients to come back for treatment? (Strain: The first day of treatment lasts five to six hours. Patients then come back for three to five days for sessions lasting one-half to one hour, depending on the patient. Patients then continue to do a taper of whatever the detox medications are. Many patients, especially if they are from the local area, will follow up for an in office visit. It's important to have providers that know how to treat this.) (Kanen: With the proposed expansion, not all rooms will be used as exam rooms. Current space is too small, have too many work stations in one room, there is no break room for staff and there is no room to draw blood.)*
- > *What is your relationship with Peninsula Hospital? Are you employees of the hospital and is this a separate endeavor? (Kanen: No, none of us are employees of Peninsula Hospital. I am a contracted medical director. This is a private practice.)*
- > *How do patients arrive to the facility? Do they drive themselves or use ride-sharing services? (Kanen: Very fortunate to have Caltrain within walking distance of the facility, so many patients use Caltrain. Would*

point out that patients are not allowed to drive, so patients are also dropped off and picked up by family members.)

> Are there often parking spaces that are available? (Kanen: Yes, there are available parking spaces in our parking lot.)

> Do you have a sense of the percentage of patients that drive to the facility versus how many use other transportation methods? (Strain: Approximately 30% use alternative means of transportation. Would note that the facility is located on El Camino Real which contains a bus line, Caltrain and BART stations are located nearby, and many patients use ride-sharing services. Staff members walk to the facility if they live close by.)

> Ordinance requires that the off-street parking for health services uses be calculated at one space per 250 square feet. However in nearby zoning districts such as the TW District, health service is calculated using the ratio for office, which is one space per 300 square feet. So there wouldn't be a Variance required in this case if the facility was located in the TW District. What is the reason for not including that parking ratio in this area? (Hurin: When TW District was established, it envisioned large buildings that would provide more on-site parking that therefore absorb the difference in parking ratios. In the ECN zone, high density housing was envisioned, however we understand that many of the existing buildings will continued to be used for medical and office uses.)

> That allowance to use the office ratio for health services is for applications in buildings that are 20,000 square feet or greater. In this case, the building area is 19,900 square feet, so it's slightly less than 20,000 square feet. See it as another reason to consider that not only are we close to those other zones, but also close to the criteria.

Michael Brownrigg: Understand that there is a difficulty with drug addiction in our society. Visited this facility and observed a line stretching out the waiting room door. Am proud that we have a facility like this in Burlingame and that we're helping people that need help.

Claudio (last name not provided): Was involved in alcohol and drug addiction, cleaned my life up 25 years ago. Am a productive individual that works, am a general contractor and live in Burlingame. When I became sober, there wasn't a facility around like this one that I could go to. Patients that are serious about cleaning there lives up do turn around and if these facilities aren't available, it makes it difficult for them to do so.

Chair Gaul closed the public hearing.

> This is a necessary facility, whether in Burlingame or in a nearby community.

> Like that it is located across the street from the hospital.

> Don't see issue with the Parking Variance, drive by this site quite often and have seen this lot empty. Don't think intensification of use will be detrimental because the manner in which patients will be arriving at the facility.

> Sad to hear the drug addiction/detox facility at hospital is closing. There are a lot of people in our community that have used that facility and also know that people in our community need help.

> Thanked the applicants for their help and hard work.

> This is a good application, really needed in the community.

> Can support the Variance request. Facility has unique characteristics that limit the parking need. One of the conditions of approval we're being asked to consider includes that if this medical facility ceases to exist, the Parking Variance becomes void.

Commissioner Sargent made a motion, seconded by Commissioner Loftis, to approve the application.

Commission Discussion:

> **There is a greater abundance of parking in the lot at the rear of the building along California Drive compared to parking on the frontage road along El Camino Real, so would encourage users and their families to use the parking lot at the rear.**

The motion carried by the following vote:

Aye: 7 - Sargent, Loftis, Kelly, Comaroto, Gaul, Terrones, and Tse

- f. 920 Bayswater Avenue (includes 908 Bayswater Ave., 108 Myrtle Rd., 112 Myrtle Rd., 116 Myrtle Rd., 120 Myrtle Rd., 124 Myrtle Rd.) zoned MMU and R-3 - Application for Design Review Amendment for review of window materials for a previously approved application for a New 128-Unit Apartment Development. (Fore Property Company, applicant; John C. and Donna W. Hower Trust, Julie Baird, Eric G. Ohlund Et Al, Doris J. Mortensen Tr. - property owners; Withee Malcolm Architects LLP, architects) (325 noticed) Staff Contact: Catherine Keylon

Attachments: [920 Bayswater Ave - Staff Report](#)
[920 Bayswater Ave - Attachments - #1](#)
[920 Bayswater Ave - Attachments - #2](#)
[920 Bayswater Ave - Attachments - #3](#)

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

Senior Planner Keylon provided an overview of the staff report.

> Staff report notes that the applicant is currently working with an acoustical engineer to provide information requested by the Planning Commission at the November 26th meeting. Has a report been submitted yet? (Keylon: The applicant will address this question during his presentation.)

Mark Pilarczyk, represented the applicant.

> There are higher noise levels here than at Summerhill site, correct? (Pilarczyk: That is correct.) In reading the documentation from Summerhill's approval, vinyl windows were approved for that project because they couldn't meet the sound transmission class (STC) ratings any other way. Did you also find that you could not meet the required STC ratings without using a vinyl window? (Pilarczyk: Yes, that is correct. We're ultimately limited to this high end line vinyl project because of the STC ratings.)

> Which one of the sample windows provided are you proposing to use now? (Pilarczyk: The Milgard Tuscany Series, however did provide an alternative window as was requested by the Commission.)

> Do you know what is STC rating is for the Milgard Tuscany Series? (Pilarczyk: Submittal included the STC ratings from the manufacturer which is attached to the staff report. They could vary and produce different STC ratings depending on the window type.)

> Are you still waiting for sound information from the noise consultant, Charles Salter? (Pilarczyk: Yes, waiting for final report. Noise consultant reviewed the information and was ready to provide a report, but indicated that based on information in the General Plan and Mitigated Negative Declaration, they were consistent in saying that there were higher decibels because of the proximity to the train tracks and that you need to be at or above the STC ratings at the Summerhill site.)

Chair Gaul closed the public hearing.

> Thanked applicant for additional information, it was helpful to have. Commended applicant for working with the community on this project to ensure that it fits in with the neighborhood.

> Have looked at the Milgard Tuscany window or similar windows a lot over the years. Can only remember one project where they have been approved, the Summerhill project, which was because it was the only window they could find that met the STC ratings. And for the specific reason, can support a motion to approve it.

> Generally speaking, it doesn't meet the design review guidelines. Have had lots of applicants come in

with this specific window and we've denied those requests, to the point where the Commission has made applicant remove these windows after they've been installed.

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

> that prior to issuance of a building permit for construction of the project the applicant shall return to the Planning Commission for an FYI with a letter prepared by an acoustical engineer regarding the noise impacts to potential residents of the proposed project and the sound rating required for the windows to meet the Building Code requirements.

Commission Discussion:

> Thanked the applicant for the additional information provided. Still don't like vinyl windows, but understand that applicant must comply with building code regulations. Happy that you and staff did the research on Summerhill, which we clearly approved for that very reason, which was to meet the STC ratings requirement.

> Had suggested a couple of other window manufacturers at the last meeting and reviewed the specifications sheet for those windows. Found that the STC ratings are slightly lower than the proposed window, so assume that it makes a difference.

> Also not a fan of vinyl windows, but applicant has changed enough of the other exterior materials to help us find a middle ground.

The motion carried by the following vote:

Aye: 7 - Sargent, Loftis, Kelly, Comaroto, Gaul, Terrones, and Tse

- g.** 150 Park Road (Parking Lot F), zoned HMU & R-4: Application for Design Review, Density Bonus Incentives and Lot Merger for construction of a new 132-unit affordable workforce and senior apartment development. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15332 of the CEQA Guidelines (Infill Exemption). (Chris Grant, The Pacific Companies, applicant; City of Burlingame, property owner; Pacific West Architecture, architect) (405 noticed) Staff Contact: Ruben Hurin

Attachments: [150 Park Rd \(Lot F\) - Staff Report](#)
[150 Park Rd \(Lot F\) - Attachments](#)
[CEQA Class 32 Infill Exemption](#)
[150 Park Rd \(Lot F\) - Plans](#)

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.

> The design of the park element is not under consideration, correct? (Hurin: That's correct. City staff will work with the applicant on the design and may share the proposal with the Parks and Recreation Commission for their input.)

Chair Gaul opened the public hearing.

Caleb Roope, Doug Gibson and Chris Grant, represented the applicant.

Commission Questions/Comments:

- > In looking at your civil plan it looks like they got the flow-through biotreatment. But the swath of coloring encompasses the tree wells where the two existing magnolias and the new magnolia are. In looking at the landscape plan, am I correct in understanding that the flow-through biotreatment won't be where the mangolia trees are located? Just want to make sure the magnolia trees will be not damaged. (Gibson: Correct, we would only be doing the flow-through biotreatment where new ground level planting is. The intent would be that we would modify that area for the new planting.)
- > On sheet A3.1, there is a swath of area outside of the garage identified by a green diagonal hatch. What is that area? Will that be shoring area or that's just outside the limits of your construction? (Gibson: That area primarily would be for service access to the base of the structure.) (Grant: Would also note that at the request of the Fire Marshal, that area was provided wide enough so that there was pedestrian access for fire apparatus.)
- > Regarding the proposed windows, I don't recall seeing muntins between the glazing when we last reviewed the project. We didn't have that detail provided on the revised plans. Why the muntins between the glazing as opposed to expressed on the exterior and interior, like a simulated true divided lite? (Gibson: The proposed Alside windows meets the price point for the project in order to be economically feasible.)
- > In past experience we have not accepted the muntins between the glazing, it's just not expressive enough. (Grant: Would the Commission accept a window design that did not include muntins between the glazing much like the submittal in February?) If there was a choice between muntins between the glazing or not, would prefer no muntins. However, don't know if architecture will still work without the muntins.
- > The issue that I have is that when lights hits the windows, the muntins between the glazing look like security bars on the inside of a window. Would be one of the last characteristics that we would want this project to have. It's something we'll need to continue to discuss and perhaps look at other options.
- > The stucco is true cementitious base stucco, not an EIFS exterior finish, correct? (Gibson: Correct, the intent would be a three-layer stucco).
- > The lap siding is cementitious Hardie board, correct? (Gibson: Correct.)
- > Wood is called out for the trellis, that's not a Trex material, correct? (Gibson: Correct, it would be timbered wood provided with proper waterproofing and flashing.)
- > Is the community space intended to be accessible by the public? (Gibson: It's meant to be used by the residents of the facility, it's not meant to be a space that can be leased out or rented for community events. Not intended to be used as a commercial space as a revenue generator for the property.)
- > Would the doors leading to the space typically be locked and only unlocked if there was a party or some type of gathering to let people come off from the street? (Roope: It's an amenity for the residents that live there. Lobby will be accessible all of the time, but other parts of the building would be open during the day when the on-site management team is there. Somebody could come in from the outside, but then would meet the manager on site and work with them.)
- > How would one enter this space from the inside of the building? (Roope: There is an access provided through the mail room.)
- > Transformer roof and electrical room have doors leading from the street, is that your intention? Would they be serviced from those doors? (Roope: Yes, those rooms would be locked and serviced that way.) Are they glass doors? (Roope: They are all designed to have a storefront look to be consistent with the architecture of the building; would be designed so that you would not be able to see into the rooms.)
- > Would the glass doors provide enough security of the equipment? (Roope: Doors would be solid, could work with staff to study that issue further.)
- > Given that approximately half of the residents will be seniors, was there any thought to having an ADA ramp from the lobby to the first floor? (Roope: Elevator provides access from the lobby to the first floor, there is also an elevator from the parking garage to the main floor, where more of the senior housing is located.)
- > What is the height of the canopy at the main entrance to the building? (Gibson: Approximately between 13 and 14 feet.)
- > Realize that the canopy is establishing the main entrance, but at that height does it provide enough weather protection? (Roope: Shouldn't be an issue because the lobby doors would be open, so one would not need a key to open the door. Canopy height appears to be more like 10 to 11 feet, can look at details

and study further.) (Gibson: Could look at lowering it to match the other canopies, however the design intent was to bring it up higher to announce the entry.)

> Think the different material face at that area, lighting and signage would be enough of an indicator where the entrance would be, so lowering the canopy might be more useful for the users.

> Stepping back the building mass is helpful, but also seems that two of the more robust and outward corners of the building were placed on the park side of the building. Is there a reason why they weren't placed on the front of the building instead of the rear? (Gibson: Tried to accomplish a couple of things. Have two apartment buildings at the rear, some of which have balconies and patios which are very close to our property line. In working with the neighbors, tied to soften that elevation. As a result, transferred that loss of square footage to the front of the building. (Gibson: Also reprogrammed some of the elements on the floor plans at the rear of the building to make it more urban, provide access from the raised patio to grade at rear. This is a four sided structure, not turning our backs to anyone.)

> Have you considered changing some of the colors on the building? Concern is with the yellow color on the rooftop mechanical and stairway enclosures. Would like to see a softer color. (Gibson: We could paint them down so that they would only look like an apparatus on the roof. Went through multiple color iterations following the last meeting. Concerned that we were starting to wash out the building, there is a lot of movement and massing on the structure. Feel that contrast of proposed colors will be a signature type of color for this development.)

> Do you know what brand of paint you're using? Do you have specific color names picked out? (Gibson: Colors are noted on the color board. Can provide additional smaller or larger samples. Not married to the yellow, but want to come up with a color that is agreeable to the Commission.)

> Application of colors working well with the continuity of the different planes. Like the way the colors are working now. Only have concern with the Jade color on the awnings it reminds me of 1980's post-modernism, worried about it getting dated fast. Should revisit this color.

> Would like to see storage for bicycles or Lime bikes. Would also like to see seating provided near the entrance. (Gibson: Have programmed in storage for 20 bicycles within the building. We have the room, so we can look into adding those elements.)

> Is that a railing at the roof level? Will it be visible from the street? (Gibson: That is actually screening for the rooftop equipment, it will be horizontal banding that looks like it's part of the building. You'd have to be pretty far back to see it from the street.)

> Have you considered any other materials other than Hardie for the horizontal lap siding? (Gibson: We've used Allura, which is a step down from Hardie if it gets too expensive on a project.) Have you looked at using any wood products? (Gibson: Not for a product of this size. If wood was considered, it would be placed lower on the building so that it could be easily maintained.) (Roope: Durability and maintenance concerns are at the top of the list when building affordable housing. Maintenance of wood is a cost to the property and threatens the long term affordability of the asset. Spend more money if needed upfront on durability to make sure maintenance is not an issue.)

> Saw some products at the Pacific Coast Builders Conference this is impregnated wood, it looks great and has a 25 year warranty. I believe the brand was Thermory. Should look into newer product options to see if it would make sense costwise. (Roope: Could look into other options, products are improving over time.)

> Recall that at the last meeting, neighbor to rear expressed a concern regarding the existing Cypress tree along the rear property line. (Roope: Have been working closely with the neighbor.)

Public Comments:

Tom Cady, 128 Lorton Avenue: Our property is located directly across the street from the project site. Thanked the Commission for their commitment to the community. Noticed evolution of growth in Burlingame, glad to see Commission is here to preserve design standards. Met with developer and have reviewed several of his projects. Believe they have a commitment to do things right. Am in support of the project.

Marina Franco, owner of apartment building behind project site: Thanked developer for working with us to

increase setbacks at the rear of the building. The portion of the lot on Park Road is zoned HMU and the park portion of the site on Lorton Avenue is zoned R-4. Will the lot merger affect the zoning? (Hurin: The park portion of the site would remain R-4, unless there is a proposal in the future to rezone the lot.)

Tom Hafill, 110 Park Road: Building has a lot of articulation, don't think it needs as many colors as proposed, think one solid color would look better. Thought it was mentioned that there would be 4,000 square feet of commercial space, want to make sure there will be no commercial or retail space in the building. Renderings don't show any utility poles. Existing utility poles are ugly and block views of cars when existing the site. Would like to see utilities placed underground as part of this project. Based on shadow studies, it appears that our pool and gazebo area will be in a shadow all afternoon during the summer months. Would have liked to see building stepped back so that our recreation area wouldn't be in shadows during the summer. Is there any way to revise the project at this point?

David Mendell, 214 Lorton Avenue: Project has improved a lot and will continue to improve as it's being processed. Important to complete construction of the public parking garage before the housing project. Because it's such a big project, it's important to consider where the construction workers will be parking.

Mike Dunham: Am a member of a group called Housing for All Burlingame that advocates for renter protections and affordable housing in our community. Thank you all and the developers for the work that's been done so far on this project. We're in a housing crisis but there is in particular an affordable housing crisis. If you look at the Regional Housing Needs Assessment numbers for the last few years, Burlingame has built three affordable units out of 420 that we should have permitted by now. Is an enormous problem that is only getting worse and by the year. Strongly disagree with the suggestion that the parking structure be built first, the City would be much better off finding an off-site solution for parking temporarily because you'll need to deal with 100 plus parking spaces disappearing anyways. There is no way the City can absorb that as is you have to find a solution. Know it's really the City Council's purview, but would strongly encourage this that the housing portion be prioritized. Timing matters a lot, would urge you to move this project through as quickly as possible, we are about to face a tsunami of 4,000 highly-paid Facebook employees working very nearby in 2020. Hopefully most of them choose to stay wherever they are and ride on buses to get here, but assume some percentage of them will look at the good schools and walkable downtown and will choose to live in Burlingame. That will only make the pressure on renters worse and worse. Two weeks ago met a single mom and her middle-school aged daughter, who are getting their rent increased by \$1,000 a month from her landlord. She is lucky because she was able to negotiate the rent increase down to \$700 a month. If you're a homeowner and were told that your property taxes were going up \$1,000 a month, you would be very upset and in fact that happened and Prop 13 exists. Renters are getting killed in this City, so it is critical that development happens quickly and it's especially critical that the affordable housing goes in as soon as possible. Urge you to keep this project moving.

Chair Gaul closed the public hearing.

> My understanding of the plans is that the utility poles are remaining in place. In fact the housing project and parking garage had to be stepped back because of the existing utility poles that are remaining in place.

> Interpreted the 4,000 square foot commercial space as the area of the community room on the ground floor, but the project still does not include retail or what would be considered as traditional commercial or retail tenant space on that ground floor.

> Really like the way that the project has evolved, the articulation and revisions that have been made. Just looking at a side-by-side comparison of the street elevation on the Park Road side, it's dramatically different in terms of the pedestrian experience, including the rhythm of the awnings, the storefront windows, bringing down the garage height, and some of the other articulation, I think is really important along that side of the of the project. Especially like the element looking from the park area, it's a really nice piece of detailing along that side at the bottom with the awning. Like the way the cornices have been revised and bolstered and think the project is supportable at this point.

> Concerned with the integrated muntins in between the glazing. Needs to be reconsidered, can come

back as an FYI. In looking at the expressions of the elevations, now have a simple cruciform muntin on windows, does help with the articulation of the elevation, but the muntins won't be seen. Think that if they could find a window that has the simulated true divided lites, not looking for a true divided lite window, can be a muntin on the exterior and interior with a spacer bar between the dual glazing.

> Like the project, there have been some good changes that happened in the past year. Agree with the comments made regarding the windows and muntins. Would prefer to see no muntins at all rather than the cheap-looking muntins. Renderings are representative of what the building would look like without muntins because they don't show up in the renderings. On the previous project we looked at, the style required that additional articulation in the windows. This style is much simpler and more contemporary and doesn't require the muntins like the style of the last project did. If you can't find a way to solve the problem, then I'd rather not see the muntins at all.

> Agree with the comments made regarding the teal color, don't think it's a good choice.

> Would like to see a softening of the components on the roof. Like idea of having an area out front to park shared bikes, would help with concern over bikes being left on sidewalks.

> Like project and look forward to seeing it started.

> Agree with suggestion of having benches or a seating area in front of the building.

> Would also like the applicant to look at the Hardie siding or wood siding material options.

> Can staff share thoughts on the order of construction, which portion of the project should be built first? (Kane: This is one of several issues that has to be finalized with the City Council because it involves City land. There are issues about construction, staging and how many different contractors at different times you have pouring cement, so that's something that will need to be addressed on the Council side. The action tonight is the design approval and then we will keep you and the public updated, but there are a couple of issues that need to be tied out and that's one of them. Some of that will be dictated by the realities of the economics of the financing structure because this involves a lot of tax credit financing, and also how to minimize impacts on the City. This project will have parking impacts, these are used lots, and so the Cities' Public Works Department will need to work very closely with the project on timing and make sure that we have a back-up plan for how consumers and workers are going to be able to park once these parking lots go offline. There will inevitably be a delay between when one of them goes offline and the parking structure gets built. At a recent City Council study session, the applicant noted that because of the lack of finish work, construction of the parking garage goes faster. So once it gets underway, it has a shorter build time to completion than the housing.)

> Do you know how long construction will take for the garage? (Grant: Trying to shorten to get much closer to a year.) (Kane: It's an aggressive time frame, 18 months to be safe.)

Chair Gaul reopened the public hearing.

Roope: Haven't seen the final version of the conditions of approval for the project, but had a few items we wanted to request with your permission. Condition #3 deals with the affordability levels, is subject to City Council, would like to add to that condition the phrase "unless modified by the City Council". Reason for that is that there have been tax law changes in the past year, and there is an opportunity to serve an additional band of income levels that may be more appropriate for teachers in the community, an 80% AMI level. Want to preserve the Council the opportunity do that if they so choose. Regarding Condition #28, would be helpful to substitute "grading" for "building", to be able to submit for a separate grading permit in order to move the project along faster. Could save a few months while the building permit for the project is being processed. (Kane: Difficult to be drafting conditions during the meeting. Note that staff exchanged some edits prior to the meeting, which have been provided to the Commission. Think that wording can still work with a partial permit issuance, that way it is still a building permit, it's just not saying which part of the building permit, so we don't have to redraft the condition.)

Roope: Had a question regarding Condition #47, which has to do with the time period we are not allowed to construct because of nesting birds. Usually we see some kind of further definition, such as an endangered bird or protected bird, but the condition is so broad that one could interpret it to mean any type of bird, don't know if that was the intent but that could be a real problem if it includes any type of

bird. Don't want to staff stuck in a box where we're having to conduct a survey for a common bird and it disrupts the project meaningfully. (Kane: After the first sentence in Condition #47, we could add "to the extent feasible as determined by staff".)

Chair Gaul closed the public hearing.

Commissioner Terrones made a motion, seconded by Commissioner Sargent, to approve the application including the revised conditions provided to the Planning Commission at the meeting, the language discussed for Condition #47, and the following condition:

> that prior to issuance of a building permit, the applicant shall submit an FYI for Planning Commission review of the following items:

- revise the type and style of windows from internal grids to either simulated true divided muntins with a spacer bar between the dual glazing or windows with no muntins; provide window details and revise building elevations/renderings;

- revisit the color specified for the storefront and awnings ("Jargon Jade" or equal previously specified);

- revisit the color specified for the structures on the roof ("Honey Bees" or equal previously specified);

- provide bicycle parking and bench seating near the main entrance to the building; must be determined feasible by the Department of Public Works if provided within the right-of-way; and

- revisit alternative options for the Hardie horizontal lap siding, such as wood or other material.

The motion carried by the following vote:

Aye: 7 - Sargent, Loftis, Kelly, Comaroto, Gaul, Terrones, and Tse

- h. 160 Lorton Avenue (Parking Lot N), zoned R-4: Application for Design Review and Lot Merger for construction of a new five-level parking garage. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15332 of the CEQA Guidelines (Infill Exemption). (Chris Grant, The Pacific Companies, applicant; City of Burlingame, property owner; Watry Design, Inc., designer) (319 noticed) Staff Contact: Ruben Hurin

Attachments: [160 Lorton Ave \(Lot N\) - Staff Report](#)
[160 Lorton Ave \(Lot N\) - Attachments](#)
[CEQA Class 32 Infill Exemption](#)
[160 Lorton Ave \(Lot N\) - Plans](#)

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.

Chris Grant and Genaro Morales, represented the applicant.

Commission Questions/Comments:

- > Do you have any point of reference as to what the metal mesh will look like? Suggest taking a look at the mesh on the wall of the Audi dealer on Broadway, it's handled very well on the that building. Would help to jazz up the building given the amount of concrete on the structure. (Morales: Included a detail of the mesh in the attachments.)*
- > Mesh is a woven wire fabric, so there will need to be a subframe to attached that to, but it is not shown on the rendering. Concerned the frame will be larger and overdone, don't want to see huge members holding up the light fabric. (Morales: Agree, there are two reasons not to build it that way. First, the expense of using a lot of steel. Second, don't want it to be bulky. It will be a tension fabric, so it will be supported at the top and bottom to provide the tension. So will try to minimize the size of the subframe.)*
- > Concrete is poured in place, not precast, correct? (Morales: That is correct.)*
- > Some of it will be high end, architectural finish, right? (Morales: We are proposing for the board form to show the ties and provide a smoother finish than what is normally done.)*
- > When I hear board form, I think of a rugged, very textured finish. (Morales: No, it's the form work, will provide a smooth finish.)*
- > Will all the concrete be the same color, or will there be variation of color? (Morales: The color may vary in tones, based on the way it's poured. The intent is not to color the concrete. Difference would be in the finish, which would provide some reflection and contrast. If you want color, might as well paint it.)*
- > Like the paseo along the side of the structure. There is a passage gateway feature at the alley along Burlingame Avenue between Lorton Avenue and California Drive. Would like to see a pedestrian scale created to the entrance to the paseo on either end, would make it more special to enter and walk along the paseo, given that the structure is so tall. (Morales: Can take a look at that.)*
- > Has there been any consideration given to a zip car operation here? This solution works well in San Francisco and helps to get people out of owning cars. (Grant: Willing to work with staff, conversation are ongoing.) (Kane: Zip car feature would not change the architecture of the building. These programming questions will be up to the City to decide in the long term. Project has agreed to provide the conduit so that we can have EV charging stations in a designated area.)*
- > Can you tell us more about the panels needed to conceal headlights? Will they be colored? (Morales: Panels will be prefinished 16-gauge plates. Will be colored.)*

Public Comments:

Gary Vielbam, business owner at 124 Highland Avenue: Located across the street from project. Need access on Highland Avenue, concerned with the amount of construction material, staging and construction workers and how it will impact my business. Need to be able to maneuver cars in and out of shop.

David Mendell: In support of project, parking is needed downtown. Passageway appears too narrow for the trees as shown. Hopes this does not become a hold site for construction of the housing project, want to keep project moving, downtown desperately needs parking.

Michael Brownrigg: Thanked Commission for their time on the housing project, design got a lot better. Is one step closer to 132 families having a place to live.

Chair Gaul closed the public hearing.

Commission Discussion:

- > Have come to like the design as it is now proposed. Critical that details on screen mesh be worked out. Like the way it adds varied mass to the building. Like the idea of enclosing the stair with the mesh,*

will be a much nicer experience with the open stair.

> Like the way the massing is articulated, has some calm to it. Variation between metal panels and cable railings at lower level, adds articulation and spark. Storefront glass helps with the pedestrian experience. Paseo helps soften building along ground level and provide connection without having got walk through the garage.

> Assume there will be a construction logistics plan that gets worked out with Public Works in terms of timing sequencing, construction worker parking, etc.

> Did not see any parking signage on the plans, assume there will be lighted signs indicating available parking.

> Like the way the project is simplified, with a simple concrete structure, cable rail, and few urban gestures with the metal panels.

> Based on its location and proximity to residential uses, feel that it is still too rough around the edges for being a mid-block large parking structure. Missing level of charm, needs to be a little better for its location.

> Project has improved a lot since the first iteration. No matter what, it is still a large parking structure.

Commissioner Sargent made a motion, seconded by Commissioner Loftis, to approve the application with the following condition:

> that prior to issuance of a building permit, the applicant shall submit an FYI for Planning Commission review of the details of the architectural screening and a detail of the sub frame showing how the architectural screening is supported/attached to the parking structure.

Comment on the motion:

> Should think about the architectural screen very carefully and what is used to hold up the screen.

The motion carried by the following vote:

Aye: 6 - Sargent, Loftis, Comaroto, Gaul, Terrones, and Tse

Nay: 1 - Kelly

9. DESIGN REVIEW STUDY

- a.** 1628 Lassen Way, zoned R-1- Application for Design Review for a major renovation and first and second story addition, including Front and Side Setback Variances to increase the height of nonconforming walls and Side Setback Variance for the first floor addition. (Master SWU Associates, Steve Wu, applicant and designer; Jeff Leung, property owner) (139 noticed) Staff contact: Sonal Aggarwal

Attachments: [1628 Lassen Way - Staff Report](#)

[1628 Lassen Way - Attachments](#)

[1628 Lassen Way - Plans](#)

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

Senior Planner Keylon provided an overview of the staff report.

> Do we know what the block average is for the front setback? (Keylon: Can review the plans to see if that information is provided. However, the minimum required front setback to a garage is 25 feet.)

> The plate heights are being raised throughout the first floor to 10 feet, except at the garage where it's increasing from 8 feet to 9 feet, correct? (Keylon: No, the garage plate height is also being raised to 10

feet.)

Chair Gaul opened the public hearing.

Steve Wu, project designer, represented the applicant.

Commission Questions/Comments:

> The only area where the plate height is increasing from 8 to 10 feet is the great room, but would a variance still be required for increasing the plate heights from 8 to 9 feet? (Keylon: Yes, a variance is required because the plate heights are increasing on nonconforming walls; considered to be an intensification of a nonconforming wall.)

> What is the purpose of increasing the plate heights throughout the ground floor? (Wu: Project includes removing most of the existing walls, increasing bedrooms sizes, and modernizing the space, so it's a matter of proportion. Great room at rear of house includes dining room, family room and kitchen. So given its size, felt that increasing the plate height would be in proportion with the space in plan view. Reason for the front setback variance at the garage was to raise the plate height so that it is consistent with the rest of the house along the front facade. Plate height for the existing garage sits 20 inches below what is being proposed.)

> In looking at the building section on sheet A06, you're increasing the plate height to 10 feet, but you're also vaulting the ceiling. Do you still feel you need to increase the plate height to 10 feet even though you're vaulting the ceiling? (Wu: Yes.)

> One of the hardest things in justifying a variance is making a finding that there is an exceptional circumstance that is related to the property itself that is different than the surrounding properties. It's unclear from this application what is unique about this property than the neighboring properties. (Wu: Difference is that this property will be improved and have modern spaces, which is why we decided to raise the ceilings to be consistent with the proportions. Larger spaces with an 8 foot ceiling would feel squat. Would point out that the existing living room has a 9 foot ceiling, so property owner has a sense of the difference between 8 and 9 foot ceilings and made the decision to increase the plate height to 9 feet.)

> Currently have walkways from the sidewalk and driveway leading to the front door. Proposed landscape plan shows eliminating the walkway from the sidewalk and changing the walkway from the driveway to the new front door. Will the remaining area in the front yard and along the side of the house really just be grass? Will there be any planting areas? (Wu: Yes, that is correct.) Would encourage you to revisit the landscape plan to add more planting areas and softening of the building.

> What is meant by "stacked stone" as indicated for the wainscoting on the house? (Wu: Stacked stone is a stone veneer that is attached as a siding material, comes in 4 foot panels.) How thick is the stone veneer? (Wu: It's 5 inches thick.)

> Presume that at the new entry, the stone veneer does not turn back towards the door, but rather shears off at the entry towards the north side. At the garage side, is the stone veneer glued on to the front of the garage or does it return down the side of the garage? (Wu: Stone veneer does return along the exterior sides of the house, as well as on the inside wall towards the entry.)

> Stone veneer is 5 inches thick, so will it sit proud of the stucco by approximately 4 inches. Will there be a cap on the veneer? (Wu: Yes, there will be a cap on it.) This should be articulated on the plans.

> The way the building elevations are drawn, it appears that the stucco is proud of the stone veneer, is that what you intended? (Wu: No, that was not intended. Will revise the building elevations accordingly.)

> How do you propose to increase the plate heights? (Wu: To increase plate heights from 8 to 9 feet, would use a 3 1/2 x 11 7/8 psl beam on top of the existing wall. To increase plate to 10 feet, would build a wall on top of the existing wall and shear it with plywood.)

> So you wouldn't need to remove the stucco? (Wu: The intent is not to remove the existing stucco.)

> Will be doing a lot of work to make the walls taller and the entire existing roof is being removed, so have you thought of moving the walls in to comply with setback requirements and eliminating some of the variance requests? (Wu: Trying to keep costs down, so would be concerned with pouring new foundations for new walls.)

> What type of windows are being proposed? (Wu: Aluminum clad are proposed.)

Public Comments:

There were no public comments.

Chair Gaul closed the public hearing.

Commission Discussion:

> *We have on occasion for some variances accepted as a unique circumstance, a building that was built prior to having ordinances and setback requirements. While the existing footprint of the house could be accepted as an exceptional circumstance, could not make the finding that by not granting the variance, the property owner is being denied a property right. There doesn't seem to be a substantial property right that is lost through denial of the variance. Don't see a right to have a 9 or 10 foot plate height as a reasonable property right that if we deny the variance they wouldn't have access to. Can't make the findings for the variance.*

> *While we may consider a 9 or 10 foot plate on a new house, if it complied with all of the development requirements, we may be able to make that consideration. However, can't make that in this case if we have to grant a variance, especially considering that the house doesn't need to have that height. In fact by having that height, it make the first floor look that much taller relative to a lot of the other houses in the neighborhood. For most houses of the same style and character, the eave is just above the garage door, and that is what is typically seen as the character and pattern in the neighborhood. Having a tall first floor and garage hurts the design. Can't make findings for design review based on the proposed design.*

> *Having difficulty with the variance requests. Also concerned with the massing, is front-loaded, which is what we try to avoid.*

> *Concerned with how stacked stone will look like, so would be helpful to see a sample.*

> *This project is a good candidate for a design review consultant.*

Commissioner Kelly made a motion, seconded by Commissioner Sargent, to refer the application to a design review consultant.

Commission Discussion:

> **Existing plate heights should be kept as they are, would eliminate a lot of problems.**

> **See no justification for the variances, especially in this neighborhood.**

> **There are still a lot of single story bungalows in this neighborhood. The intent of the design guidelines is to minimize second floors, think this design has a long way to go to address our concerns.**

> **9 foot second floor plate height also needs to be looked at.**

> **Applicant should discuss with the design review consultant the landscape plan. Don't need a lot of detail, but needs to be thought through in terms of planting areas and large species as opposed to a simple indication of just lawn.**

> **There are a few large houses in the neighborhood and on that block, would caution the applicant that many of those houses were built prior to design review, so shouldn't look to those as examples to follow.**

> **Should consider adding a front porch, is exempt from floor area ratio and would add to the depth of the house.**

> **To help with keeping a lower profile on the second floor, should consider changing the gables to hip roofs since there is a predominant profile of a hipped roof.**

The motion carried by the following vote:

Aye: 7 - Sargent, Loftis, Kelly, Comaroto, Gaul, Terrones, and Tse

10. COMMISSIONER'S REPORTS

There were no Commissioners reports.

11. DIRECTOR REPORTS

- a. 185 Pepper Avenue - FYI for changes requested by the Planning Commission to a previously approved Design Review project.

Attachments: [185 Pepper Ave - Memorandum](#)
[185 Pepper Ave - Attachments](#)
[185 Pepper Ave - Approved Plans](#)
[185 Pepper Ave - Proposed Plans](#)

Accepted.

12. ADJOURNMENT

Note: An action by the Planning Commission is appealable to the City Council within 10 days of the Planning Commission's action on December 10, 2018. If the Planning Commission's action has not been appealed or called up for review by the Council by 5:00 p.m. on December 20, 2018, the action becomes final. In order to be effective, appeals must be in writing to the City Clerk and must be accompanied by an appeal fee of \$551, which includes noticing costs.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection during normal business hours at the Community Development/Planning counter, City Hall, 501 Primrose Road, Burlingame, California.