



PROJECT LOCATION
725 Plymouth Way

City of Burlingame
Design Review and Special Permit

Item No. 8b
Regular Action Item

Address: 725 Plymouth Way

Meeting Date: August 12, 2019

Request: Application for Design Review and Special Permit for declining height envelope for a first and second floor addition to an existing single family dwelling.

Applicant and Architect: James Stavoy | Architect AIA

APN: 029-171-080

Property Owners: Heather and David Sanchez

Lot Area: 5,400 SF

General Plan: Low Density Residential

Zoning: R-1

Environmental Review Status: The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (e)(2), which states that additions to existing structures are exempt from environmental review, provided the addition will not result in an increase of more than 10,000 SF in areas where all public services and facilities are available and the area in which the project is located is not environmentally sensitive.

Project Description: The existing one-story house with a detached garage is located on an interior lot, contains 1,444 SF (0.27 FAR) of floor area, and has two bedrooms. The applicant is proposing to reconstruct the rear portion of the house with a new first floor addition (net 299 SF) and to add a new second story (1,035 SF). With the proposed project, the floor area will increase to 2,761 SF (0.51 FAR) where 3,037 SF (0.56 FAR) is the maximum allowed (including 50 SF front porch exemption). The proposed project is 276 SF below the maximum allowed FAR.

The number of bedrooms would increase from two to four. The code requires two on-site parking spaces, one of which must be covered (9' x 18' for existing conditions). The existing detached garage provides one covered space (9'-3" x 19' clear interior dimensions) and one uncovered space (9' x 20') is provided in the driveway. Therefore, the project is in compliance with off-street parking requirements.

The proposed second story encroaches into the declining height envelope along the right side by 45 SF (1'-4" x 28'-3½" at front portion, 0'-7" x 7'-0" at stairwell, and 0'-2" x 21'-10" at rear portion) which requires approval of a Special Permit (attic areas are exempt). All other Zoning Code requirements have been met.

The proposed project includes removal of an existing protected size multi-trunk Pittosporum shrub (9.5, 16 and 19 inches in diameter) located in the rear yard along the right side property line. In the report prepared by Urban Tree Management, Inc., dated December 14, 2018 (attached), the arborist notes that the shrub has grown to over maturity, is in very low vigor due to its age, and has structural faults. Due to the poor health and weak structure, he recommends that the shrub be removed. The City Arborist notes that the applicant will need to apply for and obtain a Protected Tree Removal Permit to remove this shrub.

The applicant is requesting the following applications:

- Design Review for a first and second floor addition to an existing single family dwelling (C.S. 25.57.010 (a) (1)); and
- Special Permit for declining height envelope along the right side of the house (45 SF extends beyond the declining height envelope) (C.S. 25.26.035 (c)).

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725 Plymouth Way**Lot Area:** 5,400 SF**Plans date stamped:** July 31, 2019

	EXISTING	PROPOSED	ALLOWED/REQUIRED
SETBACKS			
Front (1st flr): (2nd flr):	20'-8½" n/a	20'-8½" (to porch) 20'-0"	15'-1" (block average) 20'-0"
Side (left): (right):	9'-5" 3'-5"	no change 4'-0" (to addition)	4'-0" 4'-0"
Rear (1st flr): (2nd flr):	40'-2" n/a	31'-10½" 30'-10½"	15'-0" 20'-0"
Lot Coverage:	1,455 SF 26.9%	1,800 SF 33.3%	2,160 SF 40%
FAR:	1,444 SF 0.27 FAR	2,761 SF 0.51 FAR	3,037 SF ¹ 0.56 FAR
# of bedrooms:	2	4	---
Off-Street Parking:	1 covered (9'-3" x 19' clear interior) + 1 uncovered (9' x 20')	no change	1 covered (9' x 18' clear interior for existing) + 1 uncovered (9' x 20')
Building Height:	22'-2"	26'-3"	30'-0" above average top of curb
DH Envelope:	n/a	encroachment along right side ²	Special Permit (C.S. 25.26.035 (c))

¹ (0.32 x 5,400 SF) + 1,100 SF + 209 SF = 3,037 SF (0.56) FAR² Special Permit required for declining height envelope along the right side of the house (45 SF extends beyond the declining height envelope).**Summary of Proposed Exterior Materials:**

- **Windows:** existing wood frame windows with grids; proposed double-hung wood windows with grids, wood clad with simulated divided lites
- **Doors:** existing wood doors; proposed wood clad;
- **Siding:** existing stucco siding; proposed stucco siding to match existing;
- **Roof:** existing asphalt shingle roofing; proposed composition asphalt single roofing;
- **Other:** brick chimney; wood louvered screen vents; stained wood belly band; guard rail with stucco finish (second floor deck)

Staff Comments: At the design review study meeting on July 22, 2019, there was confusion about the second floor right side setback and whether it requires a Variance because the first floor right side setback (3'-5") is nonconforming. Per Code Section 25.26.072 (c)(2), "the minimum side setback to second stories shall be based on the declining height envelope." Therefore the proposed second floor does not require a Side Setback Variance.

Design Review Study Meeting: At the Planning Commission design review study meeting on July 22, 2019, the Commission had suggestions regarding this project and voted to place this item on regular action when all information has been submitted and reviewed by the Planning Division (see attached July 22, 2019 Planning

Commission Minutes). Listed below is a summary of the Commissions' comments from the July 22, 2019 Design Review Study meeting and the applicant's response:

1. *Update arborist report to show association of the proposed tree removal in relation to the proposed project.*

The applicant submitted an updated arborist report (see attached), dated July 25, 2019, where the arborist states that the proposed addition would be encroaching into the drip line of the tree's canopy as well as its root structure. He also states that the "tree is in terrible condition" and recommends removal.

2. *Revisit window grid patterns since they are part of the existing windows, it would add character.*

Window grids (simulated divided lites) have been added to all the proposed windows.

3. *Add more articulation and detailing to the West elevation (right side).*

The applicant's response letter notes that roof overhangs have been added to the proposed dormers creating "a new shadow line at each gable roof." At the stairway, the second floor has been stepped in by 7-inches and stepped in another 7-inches along the same side at the rear of the second floor in order to "further separate the proposed addition from the neighbor's property."

4. *Consider reducing the declining height envelope encroachment at the rear elevation.*

With the revised changes, the overall encroachment into the declining height envelope has reduced by at least 28%. Also, the encroachment into the declining height envelope at the rear elevation is now 4 SF (78% reduction from previous encroachment at the rear elevation). The proposed second floor extends towards the rear and beyond the second floor of the adjacent neighbor (right side) by 12'-11"; the encroachment into the declining height envelope of this specific portion is 2 SF (0'-2" x 12'-11").

The applicant submitted a response letter dated July 31, 2019 and revised plans date stamped July 31, 2019, to address the Planning Commission's comments. Please refer to the applicant's response letter for further details about the changes made (see attached).

Also submitted was a letter of concern (see attached), dated August 6, 2019, from the adjacent neighbor on the right side of the subject property that expresses their opposition to the proposed project.

Design Review Criteria: The criteria for design review as established in Ordinance No. 1591 adopted by the Council on April 20, 1998 are outlined as follows:

1. Compatibility of the architectural style with that of the existing character of the neighborhood;
2. Respect for the parking and garage patterns in the neighborhood;
3. Architectural style and mass and bulk of structure;
4. Interface of the proposed structure with the structures on adjacent properties; and
5. Landscaping and its proportion to mass and bulk of structural components.

Suggested Findings for Design Review: That the architectural style, mass and bulk of the proposed structure (featuring a combination of hip and gable roofs, proportional plate heights, aluminum clad wood windows, composition asphalt roofing, and stucco siding) is compatible with the character of the neighborhood and that the windows and architectural elements of the proposed structure are placed so that the structure respects the

interface with the structures on adjacent properties, therefore the project may be found to be compatible with the requirements of the City's five design review criteria.

Findings for a Special Permit: In order to grant a Special Permit, the Planning Commission must find that the following conditions exist on the property (Code Section 25.51.020 a-d):

- (a) 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;
- (b) The variety of roof line, facade, exterior finish materials and elevations of the proposed new structure or addition are consistent with the existing structure, street and neighborhood;
- (c) The proposed project is consistent with the residential design guidelines adopted by the city; and
- (d) 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, and the mitigation for the removal that is proposed is appropriate.

Suggested Special Permit Findings for Declining Height Envelope: The proposed project has the right side of the second floor encroaching 45 SF into the declining height envelope, requiring a Special Permit. The architectural style that would result from a code complying project would not be compatible or true to the massing and style of a house if the second floor were offset in order to comply with Declining Height Envelope. The house, as proposed, will provide a cohesive architectural style that will complement the neighborhood, and therefore the project may be found to be compatible with the special permit criteria.

Planning Commission Action: The Planning Commission should conduct a public hearing on the application, and consider public testimony and the analysis contained within the staff report. Action should include specific findings supporting the Planning Commission's decision, and should be affirmed by resolution of the Planning Commission. The reasons for any action should be stated clearly for the record. At the public hearing the following conditions should be considered:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped July 31, 2019, sheets A0.0 through A5.0;
2. that any changes to building materials, exterior finishes, windows, architectural features, roof height or pitch, and amount or type of hardscape materials shall be subject to Planning Division or Planning Commission review (FYI or amendment to be determined by Planning staff);
3. that any changes to the size or envelope of the first or second floors, or garage, which would include adding or enlarging a dormer(s), shall require an amendment to this permit;
4. that any recycling containers, debris boxes or dumpsters for the construction project shall be placed upon the private property, if feasible, as determined by the Community Development Director;
5. 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;
6. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;

7. that all air ducts, plumbing vents, and flues shall be combined, where possible, to a single termination and installed on the portions of the roof not visible from the street; and that these venting details shall be included and approved in the construction plans before a Building permit is issued;
8. 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;
9. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at the time of building permit submittal, as amended by the City of Burlingame;

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

10. that prior to scheduling the framing inspection the applicant shall provide a certification by the project architect or residential designer, or another architect or residential design professional, that demonstrates that the project falls at or below the maximum approved floor area ratio for the property;
11. prior to scheduling the framing inspection the project architect or residential designer, or another architect or residential design professional, shall provide an architectural certification that the architectural details shown in the approved design which should be evident at framing, such as window locations and bays, are built as shown on the approved plans; architectural certification documenting framing compliance with approved design shall be submitted to the Building Division before the final framing inspection shall be scheduled;
12. that prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof ridge and provide certification of that height to the Building Division; and
13. that prior to final inspection, Planning Division staff will inspect and note compliance of the architectural details (trim materials, window type, etc.) to verify that the project has been built according to the approved Planning and Building plans.

'Amelia Kolokihakaufisi
Associate Planner

- c. James Stavoy, applicant and architect
Heather and David Sanchez, property owners

Attachments:

July 22, 2019 Planning Commission Minutes
Applicant's Letter of Response, dated July 31, 2019
Updated Tree Assessment Report, dated July 25, 2019
Neighbor Letter of Concern, dated August 6, 2019
Application to the Planning Commission
Special Permit Application
Tree Assessment Report, dated December 14, 2018
Neighbor Letter of Concern, dated June 24, 2019
Property Owner Letter – response to neighbor concern, dated July 9, 2019
Neighbor Letters of Support
Planning Commission Resolution (proposed)
Notice of Public Hearing – Mailed August 2, 2019
Area Map