



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, August 12, 2019

7:00 PM

Council Chambers

- c. 1509 Bernal Avenue, zoned R-1 - Application for Design Review for a new two-story single family dwelling and detached garage. (James Chu, Chu Design Associates, Inc., applicant and designer; Ljs LLC, property owner) (118 noticed) Staff Contact: Michelle Markiewicz

Attachments: [1509 Bernal Ave - Staff Report](#)
[1509 Bernal Ave - Attachments](#)
[1509 Bernal Ave - Plans](#)

All Commissioners had visited the property. Commissioner Gaul talked with the neighbor across the street at 1512 Bernal Avenue.

Associate Planner Kolokihakaufisi provided an overview of the staff report.

There were no questions of staff.

Vice Chair Kelly opened the public hearing.

James Chu, Chu Design Associates, represented the applicant.

Commission Questions/Comments:

- > *Has the survey and location of the fence been discussed with the neighbor on the right? The existing fence is set back from the property line, but if it is removed and rebuilt on the property line it could conflict with planting they have on their side. It is within the rights of the property owner to rebuild the fence in the correct location, but should coordinate with neighbor so they are not surprised.*
- > *How does the first floor plate height relates to the eve overhangs? It seems the overhangs and eaves seem pretty high relative to the plate height. (Chu: In most cases the second story is situated directly above the first story. Here has extended the floor joists have to the plate/beam, which makes it easier for the sheer transfer.) Should provide a section or partial section to clarify.*
- > *Windows above the shower/tub in the bathrooms should be shorter. (Chu: Drawing error, should be square.)*
- > *Window in the powder room does not show in the elevation. (Chu: Drawing error.)*
- > *Consider shifting the window in Bedroom #1 out from behind door. Would then align nicely underneath the window above. (Chu: Agree.)*

Public Comments:

Camille Hoogasian, 1515 Bernal Avenue: Concern with the fence, and with the trees. All the large trees are on their property line but impacts her property. Roots have lifted the driveway and garage, and have disrupted the sewer line. Curious about the french doors facing her house, and fireplace along the property line, unfamiliar with vent rather than chimney. Currently multiple families live in the house. Recently there were sewer problems at the house. A tree on the property fell last year and crushed a car on her property. They are birch trees. The property is not being maintained.

Vice Chair Kelly closed the public hearing.

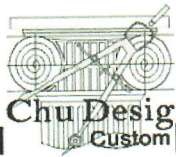
Commission Discussion:

- > *Planning staff can get in touch with the neighbor to discuss her concerns.*
- > *Design of the house is quite nice.*
- > *Might be good to have the fireplace vent go out the top with a chimney, so that mechanical noise and fumes do not interfere with the neighbor.*
- > *There are two pairs of french doors, could eliminate one set in consideration of the neighbor.*
- > *Side-facing french door is set back 20 feet from the fence. Does not ordinarily use privacy as a criteria.*

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

Aye: 5 - Sargent, Kelly, Terrones, Tse, and Gaul

Absent: 2 - Comaroto, and Loftis



Chu Design Associates Inc.
Custom Home Design & Engineering

August 27, 2019

City of Burlingame
Planning Commission
501 Primrose Rd
Burlingame, CA 94010

Re: New residence at
1509 Bernal Ave
Burlingame, CA 94010

Dear Planning Commissioner:

We have revised the plans per your design review comments:

1. The existing fence between [REDACTED] (right side neighbor) to be remained, pls see site plan on sheet A.2, and landscape plan.
2. Partial section through front porch provided on sheet A.6
3. Windows above tub/shower has been revised, pls see sheet A.4 & A.5
4. Missing window for powder room added, pls see sheet A.5
5. Window in bedroom #1 has been shifted from behind door, pls see A.4
6. Direct vent through chimney has been provided for fireplace in great room.

In addition to above, Ms. Camille Hoogasian (right side neighbor lives on [REDACTED]) would like us to remove tree #1, 2, 9, 10 & 11 due to the tree roots lifting her driveway and foundation at her garage, which we agreed. Pls see revised site plan sheet A.2 and landscape plan.

Thank you for your time in reviewing the revised plan, we will be happy to answer any question at the meeting.

Sincerely,

James Chu

James Chu
Chu Design



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

APPLICATION TO THE PLANNING COMMISSION

Type of application:

☒ Design Review ☐ Variance ☐ Parcel #: 026-034-100
☐ Conditional Use Permit ☐ Special Permit ☐ Zoning / Other: _____

PROJECT ADDRESS: 1509 BERNAL AVE.

APPLICANT

Name: JAMES CHU

Address: 55 W. 43RD AVE.

City/State/Zip: SAN MATEO, CA 94403

Phone: 650-345-9286 x104

E-mail: james@chudesign.com

PROPERTY OWNER

Name: JORDAN JUROW & CAROLYN SHMUNIS

Address: [REDACTED]

City/State/Zip: BURLINGAME, CA

Phone: _____

E-mail: _____

ARCHITECT/DESIGNER

Name: CHU DESIGN ASSOCIATES

Address: 55 W. 43RD AVE.

City/State/Zip: SAN MATEO, CA 94403

Phone: 650-345-9286 x104

E-mail: james@chudesign.com

Burlingame Business License #: 22684

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. JC (Initials of Architect/Designer)

PROJECT DESCRIPTION: NEW TWO-STORY RESIDENCE W/ DETACHED 2-CAR GARAGE

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

Applicant's signature: _____

I am aware of the proposed application and the Planning Commission.

Property owner's signature: _____

the information given herein is true and correct to the

Date: 4/29/2019

applicant to submit this application to the Planning

Date: _____

Date submitted: _____

RECEIVED

APR 30 2019

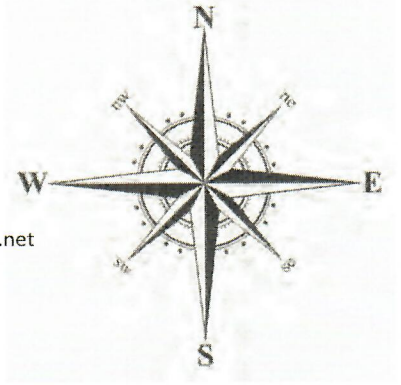
CITY OF BURLINGAME
COD-PLANNING DIV.

Ellyn Shea, Consulting Arborist

ISA Certified Arborist # WE-5476A - ISA Qualified Tree Risk Assessor

ASCA Registered Consulting Arborist #516

2085 Hayes Street, Suite 10 • San Francisco, CA 94117 • Phone: 415/846-0190 • E-Mail: ellyn.shea@sbcglobal.net



Carolyn Shmunis

December 10, 2018

Assignment

- Identify and locate trees on site at 1509 Bernal Avenue in Burlingame.
- Measure their trunk circumference at 54 inches.
- Determine which trees are protected according to City of Burlingame ordinance.
- Document trees to be preserved and removed according to the City of Burlingame Residential Design Review Checklist.
- Provide a written report with photographs to support a Protected Tree Removal Permit Application for submittal to the City of Burlingame Parks and Recreation Department.

Summary

13 trees were considered:

- 2 trees are protected according to City ordinance (Trunk circumference of 48 inches or more at 54 inches from the ground).
- No protected trees are to be removed.
- 4 unprotected trees are to be removed.

Observations

I looked at the trees on November 29, 2018. The tree data is in the table on the next page. Tree numbers correspond to numbers on the map on page 3. Photographs of each tree are included at the end of this report. All trees observed are on the subject property, with no overhanging trees from neighboring properties.

Recommendations

- Submit this report along with the rest of your submittal to the Planning Commission for design review.
- Since no protected trees are to be removed, no removal permit should be necessary unless the City requires otherwise.
- Remove all trees and stumps slated for removal prior to the start of construction.
- Prune tree #11 to make the canopy more symmetric at the same time that #12 is being removed. Do not remove more than 25% of the living foliage.

RECEIVED

APR 30 2019

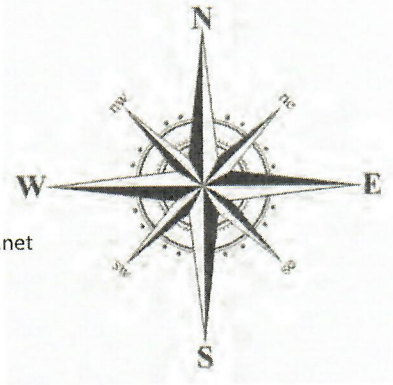
CITY OF BURLINGAME
CDD-PLANNING DIV.

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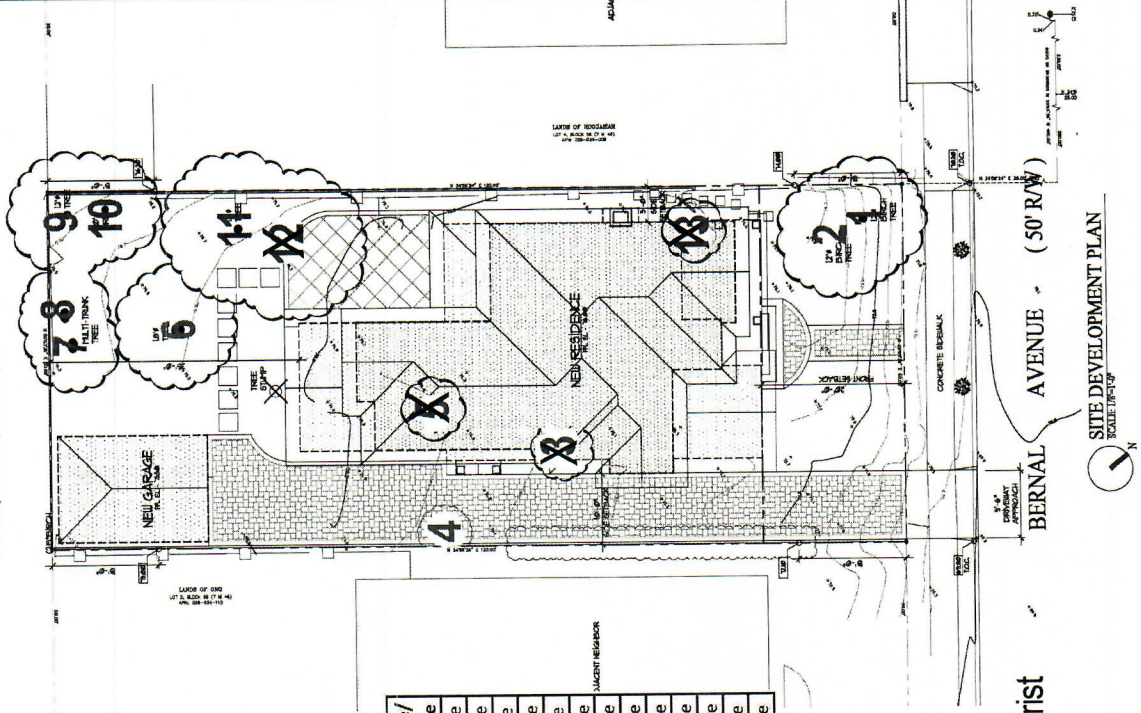


Tree Data Table

Tree number	Species	Circumference	Protected?	Remove/ Preserve
1	Betula pendula	53	yes	Preserve
2	Betula pendula	42	no	Preserve
3	Podocarpus gracilior	27	no	Remove
4	Ligustrum lucidum	19	no	Preserve
5	Citrus limon	26	no	Remove
6	Betula pendula	63	yes	Preserve
7	Ligustrum lucidum	35	no	Preserve
8	Ligustrum lucidum	47	no	Preserve
9	Ligustrum lucidum	42	no	Preserve
10	Ligustrum lucidum	31	no	Preserve
11	Betula pendula	43	no	Preserve
12	Betula pendula	47	no	Remove
13	Podocarpus gracilior	17	no	Remove

● = Protected Tree
● = Not Protected Tree
X = Tree to be Removed

Tree number	Species	Circumference	Protected?	Remove/ Preserve
1	<i>Betula pendula</i>	53	yes	Preserve
2	<i>Betula pendula</i>	42	no	Preserve
3	<i>Podocarpus gracilior</i>	27	no	Remove
4	<i>Ligustrum lucidum</i>	19	no	Preserve
5	<i>Citrus limon</i>	26	no	Remove
6	<i>Betula pendula</i>	63	yes	Preserve
7	<i>Ligustrum lucidum</i>	35	no	Preserve
8	<i>Ligustrum lucidum</i>	47	no	Preserve
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10	<i>Ligustrum lucidum</i>	31	no	Preserve
11	<i>Betula pendula</i>	43	no	Preserve
12	<i>Betula pendula</i>	47	no	Remove
13	<i>Podocarpus gracilior</i>	17	no	Remove



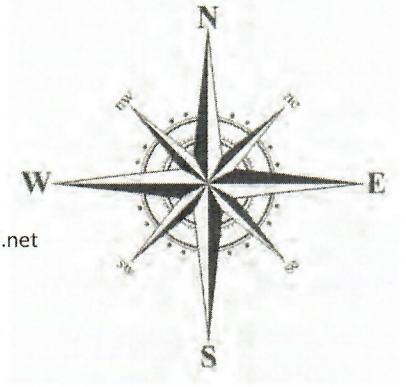
Additions by: Ellyn Shea, Consulting Arborist
415/846-0190

Ellyn Shea, Consulting Arborist

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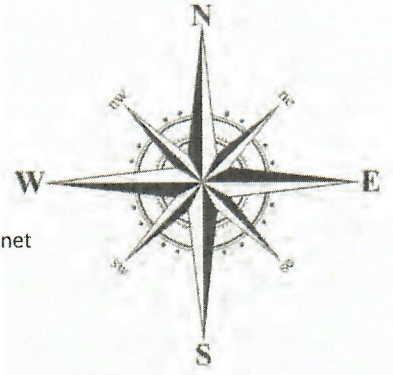
Trees 1 and 2 (left to right)

Ellyn Shea, Consulting Arborist

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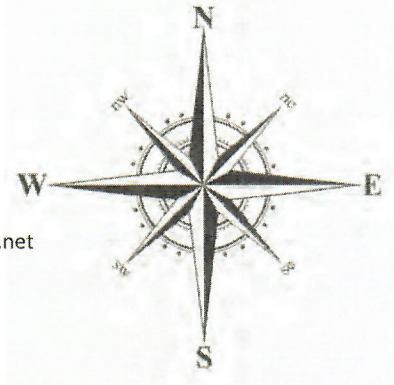
Tree 3

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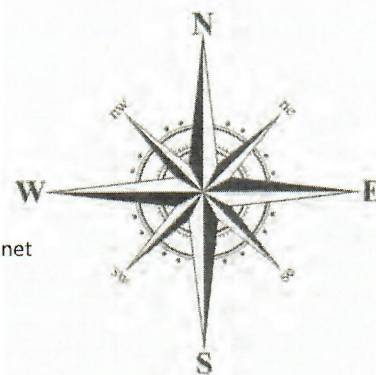
Tree 4

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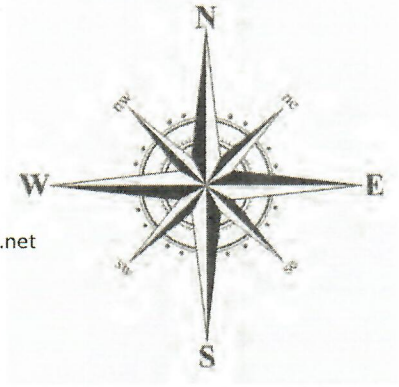
Tree 5

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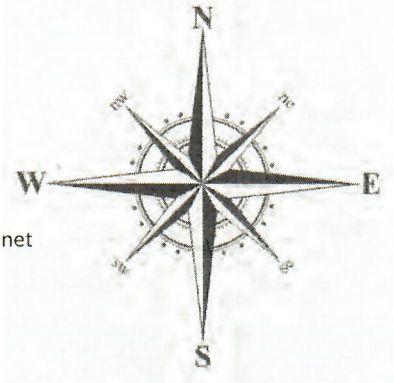
Tree 6

Ellyn Shea, Consulting Arborist

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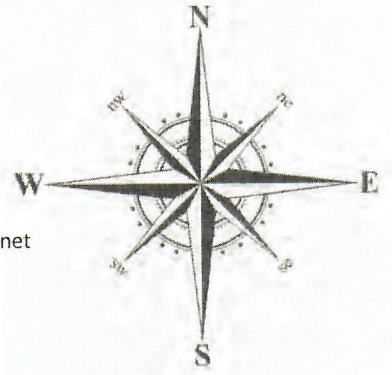
Trees 7 & 8 (left to right)

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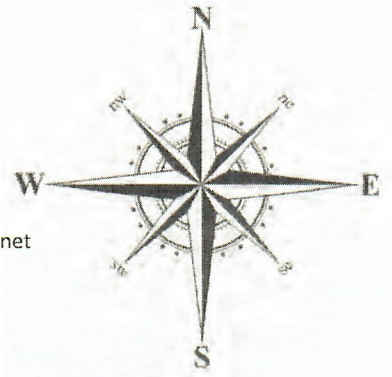
Trees 9 & 10 (left to right)

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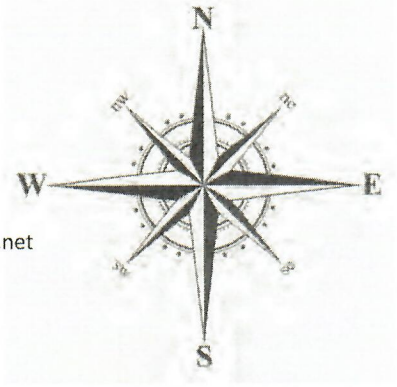
Tree 11

Ellyn Shea, Consulting Arborist

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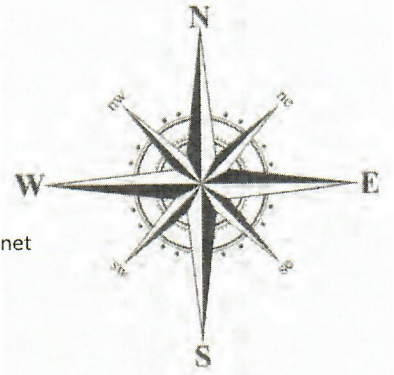
Tree 12

Ellyn Shea, Consulting Arborist

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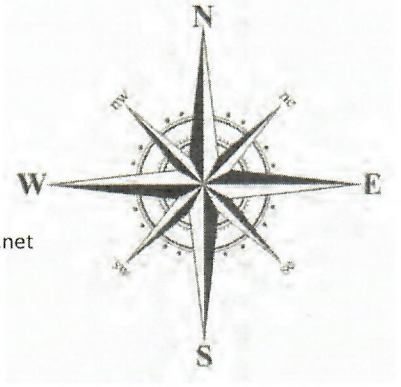
Tree 13

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Assumptions and Limiting Conditions

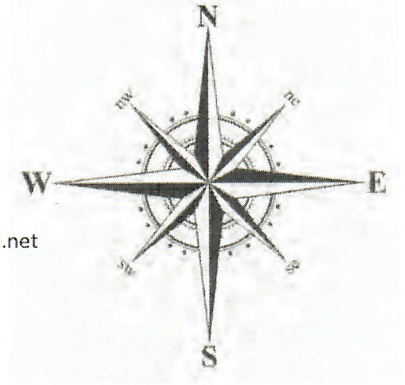
1. Any legal description provided to the consultant is assumed to be correct. Title and ownership of all property considered are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes or other governmental regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible. The consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
4. Various diagrams, sketches and photographs in this report are intended as visual aids and are not to scale, unless specifically stated as such on the drawing. These communication tools in no way substitute for nor should be construed as surveys, architectural or engineering drawings.
5. Loss or alteration of any part of this report invalidates the entire report.
6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior written or verbal consent of the consultant.
7. This report is confidential and to be distributed only to the individual or entity to whom it is addressed. Any or all of the contents of this report may be conveyed to another party only with the express prior written or verbal consent of the consultant. Such limitations apply to the original report, a copy, facsimile, scanned image or digital version thereof.
8. This report represents the opinion of the consultant. In no way is the consultant's fee contingent upon a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
9. The consultant shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule, an agreement or a contract.
10. Information contained in this report reflects observations made only to those items described and only reflects the condition of those items at the time of the site visit. Furthermore, the inspection is limited to visual examination of items and elements at the site, unless expressly stated otherwise. There is no expressed or implied warranty or guarantee that problems or deficiencies of the plants or property inspected may not arise in the future.

Ellyn Shea, Consulting Arborist

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Disclosure Statement

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. An arborist cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

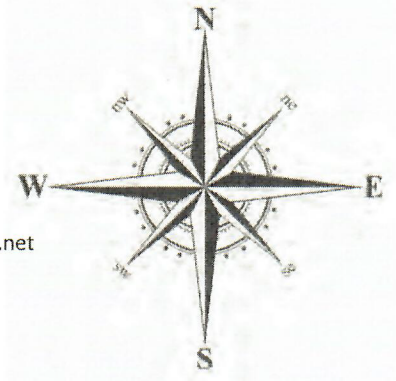
Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

Ellyn Shea, Consulting Arborist

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Certification of Performance

I, Ellyn Shea, Certify:

- That I have personally inspected the trees and/ or property evaluated in this report. I have stated my findings accurately, insofar as the limitations of my Assignment and within the extent and context identified by this report;
- That I have no current or prospective interest in the vegetation or any real estate that is the subject of this report, and have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts and according to commonly accepted arboricultural practices;
- That no significant professional assistance was provided, except as indicated by the inclusion of another professional report within this report;
- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party.
- I am a member in good standing, Certified Arborist (#WE-5476A), and a Qualified Tree Risk Assessor with the International Society of Arboriculture, and a Registered Consulting Arborist (#516) with the American Society of Consulting Arborists.

I have attained professional training in all areas of knowledge asserted through this report by completing relevant college courses, routinely attending pertinent professional conferences and by reading current research from professional journals, books and other media.

I have rendered professional services in a full time capacity in the field of horticulture and arboriculture for more than 17 years.

Signature:

Date: 12/10/18

RESOLUTION APPROVING CATEGORICAL EXEMPTION AND DESIGN REVIEW

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

WHEREAS, a Categorical Exemption has been prepared and application has been made for Design Review for a new two-story single family dwelling and detached garage at 1509 Bernal Avenue, Zoned R-1, Ljs LLC, property owner, APN: 026-034-100;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on September 9 2019, at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing;

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

1. On the basis of the Initial Study and the documents submitted and reviewed, and comments received and addressed by this Commission, it is hereby found that there is no substantial evidence that the project set forth above will have a significant effect on the environment, and categorical exemption, per CEQA Section 15303 (a) of the CEQA Guidelines, which states that construction of a limited number of new, small facilities or structures, including one single-family residence, or a second dwelling unit in a residential zone, is exempt from environmental review. In urbanized areas, this exemption may be applied to the construction or conversion of up to three (3) single-family residences as part of a project, is hereby approved.
2. Said Design Review is approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Design Review 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 9th day of September, 2019, by the following vote:

Secretary

EXHIBIT "A"

Conditions of Approval for Categorical Exemption & Design Review

1509 Bernal Avenue

Effective **September 19, 2019**

Page 1

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped August 27, 2019, sheets A1 through A6, N.2, and L1.1 and L2.1;
2. that prior to issuance of a building permit, a Protected Tree Removal Permit and arborist report shall be submitted to the City Arborist for removal of the existing 26.5-inch diameter Betula Pendula tree located at the front of the property;
3. 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);
4. 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;
5. that any recycling containers, debris boxes or dumpsters for the construction project shall be placed upon the private property, if feasible, as determined by the Community Development Director; that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
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 time of building permit submittal, as amended by the City of Burlingame;

EXHIBIT "A"

Conditions of Approval for Categorical Exemption & Design Review

1509 Bernal Avenue

Effective **September 19, 2019**

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. that prior to scheduling the foundation inspection, a licensed surveyor shall locate the property corners, set the building footprint and certify the first floor elevation of the new structure(s) based on the elevation at the top of the form boards per the approved plans; this survey shall be accepted by the City Engineer;
12. 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;
13. 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
14. 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 build according to the approved Planning and Building plans.



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

Site: 1509 BERNAL AVENUE

The City of Burlingame Planning Commission announces the following public hearing **on MONDAY, SEPTEMBER 9, 2019 at 7:00 P.M.** in the City Hall Council Chambers, 501 Primrose Road, Burlingame, CA:

Application for Design Review for a new two-story single family dwelling and detached garage at
1509 Bernal Avenue zoned R-1. APN 026.034.100

**PUBLIC HEARING
NOTICE**

Mailed: August 30, 2019

(Please refer to other side)

City of Burlingame

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

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

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

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

Kevin Gardiner, AICP
Community Development Director

PUBLIC HEARING NOTICE

(Please refer to other side)

1509 Bernal Avenue
300' Radius
APN # 026.034.100

