

PROJECT LOCATION
812 and 816 Linden Avenue



City of Burlingame
Conditional Use Permit and Design Review

Item No. 8a
Regular Action Item

Address: 812 and 816 Linden Avenue

Meeting Date: November 12, 2019

Request: Application for a Conditional Use Permit for Re-emerging Lots and Design Review for construction of one new, two-story single family dwelling and detached garage at 812 Linden Avenue.

Applicant and Designer: Tim Raduenz, Form + One Design

APN: 029-032-160

Property Owner: Greg Gambrioli

Zoning: R-1

General Plan: Low Density Residential

Lot Area: 5,910 SF (812 Linden Avenue, Lot 22)
5,910 SF (816 Linden Avenue, Lot 21)

Environmental Review Status: The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per 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.

Current Use: Two existing lots: Lot 21 (816 Linden Avenue) with one single family dwelling and detached accessory structure and Lot 22 (812 Linden Avenue) is vacant; one detached structure straddles the property line between the two existing lots.

Proposed Use: Existing single family dwelling and detached accessory structure at 816 Linden Avenue will remain and a new single family dwelling with a detached garage is proposed at 812 Linden Avenue.

Site Description: The site on Linden Avenue is a single, 11,820 SF parcel that consists of two legally subdivided lots that are parallelograms. Lot 22 is located on the right side of the parcel and will be assigned the address of 812 Linden Avenue. Lot 21 is on the left side of the parcel and has the address of 816 Linden Avenue. The existing, two-story single family dwelling is on Lot 21 (816 Linden Avenue) and Lot 22 (812 Linden Avenue) is vacant and has been developed and used as a fenced yard for the single family dwelling at 816 Linden Avenue.

There is an existing detached structure at the rear, left side of Lot 21 (816 Linden Avenue) that was built as a garage, but appears to have been converted to living space; there is no record of permits for the conversion of this detached garage to living space. The site also contains a detached shed built at the rear of the parcel that spans the side property line between the two lots.

The site is accessed from an existing curb cut on Lot 22 (812 Linden Avenue). The driveway to the former detached garage on Lot 21 runs down the left side of Lot 22 and moves on to Lot 21 approximately 30 feet from the front property line.

The applicant has provided a Certified Arborist Report, dated April 18, 2019 and printed on sheet AR of the plans. There are two protected size trees on the parcel, both located on Lot 21 (812 Linden Avenue). The trees are Palms and the applicant proposes to remove both trees. The City Arborist has indicated that Protected Tree Removal Permits will be issued for removal because the species is not native to the region.

Project History: The applicant initially submitted an application in May 2019 for a Conditional Use Permit for re-emerging lots and Design Review and a Special Permit for a new, two-story single family dwelling with an attached garage at 812 Linden Avenue. This project proposal went forward to the Planning Commission for a study hearing on August 12, 2019. The applicant made several changes to the project in response to the Commission's suggestions, but did not revise the request for the proposed Special Permit for the attached garage. At the August 26, 2019 action hearing, the Planning Commission reiterated that although they thought

The applicant is requesting the following applications:

- Conditional Use Permit for two re-emerging lots (C.S.25.26.030 (e)); and
- Design Review for one new, two-story single family dwelling and detached garage (CS 25.57.010).

812 Linden Avenue (Lot 22)

Lot Area: 5,910 SF

Plans date stamped: October 30, 2019

	PREVIOUS PLANS	PLANS DATE STAMPED OCTOBER 30, 2019	ALLOWED/ REQUIRED
SETBACKS			
Front (1st flr):	17'-0"	19'-7"	15'-0" *
(2nd flr):	23'-2"	21'-7"	20'-0"
To Attached Garage:	25'-0"	---	25'-0" (to single car garage)
Side (left):	4'-2"	4'-5"	4'-0"
(right):	4'-0"	11'-0"	4'-0"
Rear (1st flr):	36'-5"	43'-0"	15'-0"
(2nd flr):	39'-0"	43'-0"	20'-0"
Lot Coverage:	1,962 SF 33%	2,082 35%	2,364 SF 40%
FAR:	2,940 SF 0.497 FAR	3,369 SF 0.57 FAR	3,369 SF ¹ 0.57 FAR
# of bedrooms:	4	4	---
Off-Street Parking:	1 covered, attached ² (10' x 20') 1 uncovered (9' x 20')	1 covered, detached (10' x 20') 1 uncovered (9' x 20')	1 covered (10' x 20') 1 uncovered (9' x 20')
Building Height:	29'-1"	29'-7"	30'-0"
Declining Height Envelope:	complies	complies	CS 25.26.075

* The minimum required front setback is 15'-0" or the block average, whichever is greater. Block average is 14'-11", so the 15'-0" front setback requirement applies.

¹ $(0.32 \times 5,910 \text{ SF}) + 1,100 \text{ SF} + 398 = 3,369 \text{ SF}$ (0.57 FAR)

² Proposed attached garage required a Special Permit; request was eliminated with revised plans.

Summary of Proposed Exterior Materials:

- **Windows:** aluminum clad wood windows with simulated true divided lites; wood trim.
- **Doors:** wood doors and wood garage door.
- **Siding:** wood siding with mitered corners.
- **Roof:** diamond-shaped asphalt shingles and standing seam metal.
- **Other:** wood rafter tails, wood gable end decorative details, cedar and clear plexi glass rear railing, chimney material not labeled.

816 Linden Avenue (Lot 21)**Lot Area: 5,910 SF****Plans date stamped: June 11, 2019**

	EXISTING	PROPOSED	ALLOWED/ REQUIRED
SETBACKS			
Front (1st flr):	6'-0"	No change	15'-0"
(2nd flr):	18'-0"	No change	20'-0"
Side (left):	4'-0"	No change	4'-0"
(right):	0'-6"	9'-6"	4'-0"
Rear (1st flr):	41'-0"	No change	15'-0"
(2nd flr):	71'-0"	No change	20'-0"
Lot Coverage:	3,018 SF ¹ 51%	2,659 SF ² 45%	2,364 SF 40%
FAR:	3,576 SF ³ 0.70 FAR	3,253 SF ⁴ 0.55 FAR	3,391 SF ⁵ 0.57 FAR
# of bedrooms:	4	No change	---
Off-Street Parking:	0 covered, detached 0 uncovered (existing garage converted to living space)	1 covered, detached ⁶ (10' x 20') 1 uncovered (9' x 20')	1 covered (10' x 20') 1 uncovered (9' x 20')
Height:	Existing height not known	No change	30'-0"
Declining Height Envelope:	Existing compliance not known	No change	---

¹ Existing lot coverage is non-conforming.² Proposed changes to 816 Linden Avenue will reduce the existing, non-conforming lot coverage. Because the project will reduce the non-conformity and will remove less than 50% of the existing walls the dwelling is not considered to be new and a variance is not required for the proposed lot coverage.³ Existing floor area is non-conforming.⁴ Proposed changes to 816 Linden Avenue will bring the floor area ratio into compliance with code requirements.⁵ $(0.32 \times 5,910 \text{ SF}) + 1,100 \text{ SF} + 400 = 3,391 \text{ SF}$ (0.57 FAR).⁶ Proposed changes to 816 Linden Avenue will convert the non-permitted detached living space back to covered parking.

Staff Comments: Planning Staff would note that since the proposed project is returning for a third hearing, the application was placed directly on the action calendar. If the Commission feels there is a need for more discussion or revisions, in particular because this is the first time the Commission has reviewed the new architectural style for this project, this item may be placed on a future action calendar for a second review and/or public hearing with direction to the applicant.

Previous Meetings: At the design review study hearing for this project on August 12, 2019, the Commission had several suggested revisions, including that the applicant revise the project to include a detached garage to reflect the pattern in the neighborhood (see attached August 12, 2019 Planning Commission Minutes). At the design review action hearing for this project on August 26, 2019, the Commission stated again that they could

not make the findings for the Special Permit for the attached garage and they voted to continue the project (see attached August 26, 2019 Planning Commission Minutes).

Required Findings for a Conditional Use Permit: In order to grant a Conditional Use Permit, the Planning Commission must find that the following conditions exist on the property (Code Section 25.52.020, a-c):

- (a) The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience;
- (b) The proposed use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title;
- (c) The planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

Suggested Conditional Use Permit Findings: The re-emerging lots meet the minimum street frontage and lot size requirements and have a similar configuration and size to other lots in the neighborhood. The proposed residential use on the previously vacant lot at 812 Linden Avenue is consistent with the zoning designation and with the existing uses in the area. For these reasons the project may be found to be compatible with the requirements of the City's Conditional Use Permit criteria.

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: The project design is well crafted, with many traditional details such as wood siding with mitered corners, exposed rafter tails, and clad wood windows with simulated true divided lites. The massing and roof line of the house present an elegant design that disguises the flat roof created to accommodate the solar panels. The detached garage reflects the existing pattern in the neighborhood and allows for landscaping to screen the rear yard of the property located to the right of the subject property. For these reasons the project may be found to be compatible with the requirements of the City's five design review 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 October 30, 2019, sheets T1.0 through L1.1, and date stamped June 11, 2019, sheets T1.0 through

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;

14. 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
15. 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.

Erika Lewit
Senior Planner

Attachments:

August 12 and August 26, 2019 Planning Commission Minutes
Applicant's Letter of Explanation, date stamped October 25, 2019
Application to the Planning Commission
Conditional Use Permit Application
Letter to surrounding neighbors from the property owner, date stamped June 7, 2019
Planning Commission Resolution (Proposed)
Notice of Public Hearing – Mailed November 1, 2019
Area Map