



# City of Burlingame

BURLINGAME CITY HALL  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010

## Meeting Minutes Planning Commission

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Monday, December 9, 2019

7:00 PM

Council Chambers

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### 1. CALL TO ORDER

*The meeting was called to order at 7:00 p.m. Staff in attendance: Planning Manager Ruben Hurin, Senior Planner Catherine Keylon, City Attorney Kathleen Kane, and Assistant City Attorney Scott Spansail.*

### 2. ROLL CALL

**Present** 6 - Kelly, Comaroto, Terrones, Tse, Gaul, and Loftis

**Absent** 1 - Sargent

### 3. APPROVAL OF MINUTES

Commissioner Terrones made a motion, seconded by Commissioner Comaroto, to approve the minutes as amended. The motion carried by the following vote:

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

**Absent:** 1 - Sargent

#### a. Draft October 28, 2019 Planning Commission Meeting Minutes

**Attachments:** [Draft October 28, 2019 Planning Commission Meeting Minutes](#)

#### b. Draft November 12, 2019 Planning Commission Meeting Minutes

**Attachments:** [Draft November 12, 2019 Planning Commission Meeting Minutes](#)

### 4. APPROVAL OF AGENDA

*There were no changes to the agenda.*

### 5. PUBLIC COMMENTS, NON-AGENDA

*There were no public comments.*

### 6. STUDY ITEMS

*There were no Study Items.*

### 7. CONSENT CALENDAR

#### a. Adopt Planning Commission Calendar for 2020 – Staff Contact: Ruben Hurin

**Attachments:** [2020 Planning Commission Memorandum](#)  
[2020 Planning Commission Schedule](#)  
[2020 Draft City Council Calendar](#)

Commissioner Kelly made a motion, seconded by Commissioner Tse, to approve the Consent Calendar. The motion carried by the following vote:

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

**Absent:** 1 - Sargent

## 8. REGULAR ACTION ITEMS

- a. 812 Linden Avenue (vacant lot adjacent to 816 Linden Avenue), zoned R-1 - Application for a Conditional Use Permit for re-emerging lots, Design Review for one new, two-story single family dwelling with a detached garage at 812 Linden Avenue (vacant parcel next to 816 Linden Ave). This project is Categorically Exempt from review pursuant to the California Environmental Quality act (CEQA), per Section 15301(a) (Tim Raduenz, Form + One Design, applicant and designer; 812 Linden LLC and 816 Linden LLC, property owners) (149 noticed) Staff Contact: Erika Lewit

**Attachments:** [812 and 816 Linden Ave - Staff Report](#)  
[812 and 816 Linden Ave - Attachments](#)  
[812 and 816 Linden Ave - Plans](#)

*Chair Comaroto was recused from this item for statutory reasons involving a financial interest in the property.*

*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.*

*Acting Chair Kelly opened the public hearing.*

*Tim Raduenz represented the applicant.*

*Commission Questions/Comments:*

*> Comment was really more on the massing of the whole building. Seems like there is approximately 385 square feet of flat roof. Couple that with the section, will end up with approximately 8 feet of height in the attic. Going for 10:12 pitch will have close to 600 to 800 square feet of what would be considered floor area. Was looking for something that reduced the massing and the reasoning of the little dormer on the front is almost a token reduction. (Raduenz: It's the dormer and also doing the hip roof. We got rid of a whole gable end.)*

*> The point last time was the flat roof is contributing to the bulk of the mass. (Raduenz: Think building a two story and putting a 4:12 pitch is not architecture.)*

*> All four elevations looked like they filled the page, looking for more aesthetically. (Raduenz: We're within all the regulations. I'm sorry to object but it's an english style, modern, clean line house. Normally, I don't reduce the pitches. I try to do something with a little bit of a larger roof mass just because I think it's a more classic look.)*

- > Some of the massing has been broken down with the roof lines that were added along the first floor.
- > Not fair to say it's a traditional English style house and therefore should be acceptable with this massive flat roof on it. Appreciate some of the revisions made. Like the front elevation, the way you have revised it with the smaller gable that's a secondary gable on that front side. (Raduenz: Understand concern about flat roof. Flat roof hides all the mechanicals and roof vents, you don't see these elements as much. Normally a lot of the projects that I've been doing have solar panels, which the flat roof also helps to hide.)
- > Mechanical elements can be located in attics, basements or crawl spaces.
- > Struggled to understand the changes that were made, didn't see the reduction in mass. It still seems to be a very massive house, and the reason for that is that there's not a lot of articulation of the box itself. It's a box that fills the site, and if you choose to do a boxy building, and you have a certain roof height, you have to lop that off at some point. Understand how it functions in hiding the solar panels, but it feels massive.

*Public Comments:*

- > There were no public comments.

*Acting Chair Kelly closed the public hearing.*

*Commission Discussion/Direction:*

- > There are many single story homes and some split level homes in this neighborhood, but not a lot of two story homes. Greater effort needs to be given to reducing the bulk of the house by working the roof line. We get applications all the time that have conventional roofs, whether they have solar panels or not, they still go on the roof. There's nothing we can do, as a Commission, to reduce those or negate those because that's State law we have to allow. The solar panels are becoming the norm. It is not a good argument that to hide the solar panels you need to have a flat roof. Seeing this as filling it up too much. There's a lot of what could be considered floor area in the attic and can't say it won't be accessible. There are many ways this house could be reduced in mass and bulk. Can't support the project at this point.
- > Although the house falls within the declining height envelope, it's not asking for anything, it does seem oversized for the neighborhood. There could be another approach to this to meet all of the program requirements for the home and not feel so big and heavy. Can't support it in its present state.
- > Struggling with the mass of the building. The front looks better, but then you look at the right-hand side and it looks massive because the roof is rising up behind the front. The same is true to the left-hand side and then the rear elevation, which is effectively just like the front elevation. It's a massive roof right in the middle of the project. Finding it hard to support the project until the mass is addressed somehow.
- > There are some expressions, some details that are occurring on the project that help mitigate the massing. However, believe that what's causing some of the concern is that at the second floor there is a consistent eave line that follows all the way around on every elevation. If we didn't have some of the first floor roofs engaging this structure, you have a consistent second floor roof, that when you put a roof on top of that, your only solution is to cut it off and create flat roofs. Otherwise, you're applying for what probably would be a variance, not even a special permit for height because it's now only a few inches below the maximum allowable height of 30 feet. So with this particular roof slope, and the roof structure, the way it has been designed by a consistent flat height around the top of the second floor, only solution is to cut it off with a flat roof. Therefore, we get these roof plains on the elevation and we don't have the relief encouraged by our design guidelines, that specifically encourage second floor areas to be tucked under roofs that spring from a first floor plate height. There are some good things happening in terms of the overall design. If there were some reworking and articulation of that second floor plate height so it is not dogmatically consistent all around, that might help with some of the concerns.
- > Agree, this house is going to dominate everything around it; the massing needs to be readdressed.
- > City Attorney Kane: If the Commission is leaning towards making a motion for a continuance, we may want to reopen the public hearing for the purpose of finding out from the applicant if that's something they want and if not, would they rather have the Commission vote to deny the application.

*Acting Chair Kelly re-opened the public hearing.*

> *Raduenz: I'll completely rework the second floor and all the elevations.*

*Acting Chair Kelly closed the public hearing.*

**Commissioner Loftis made a motion, seconded by Commissioner Kelly, to continue the application.**

**Comment on the motion:**

> **Good solution to concerns is to spring the second floor roof from the first floor plate height.**

**The motion carried by the following vote:**

**Aye:** 5 - Kelly, Terrones, Tse, Gaul, and Loftis

**Absent:** 1 - Sargent

**Recused:** 1 - Comaroto

- b.** 2711 Burlingview Drive, zoned R-1 - Application for Design Review, Hillside Area Construction Permit, Variances for Front Setback, Side Setback and Parking, and Special Permit for an addition to the main level of an existing single family dwelling, to convert the existing garage to living space, and for a new lower level attached garage. This project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301(e)(2) of the CEQA Guidelines. (Robert Wehmeyer, Weymeyer Design, applicant and designer; Charles and Diana Williams, property owners) (65 noticed) Staff Contact: Ruben Hurin

**Attachments:** [2711 Burlingview Dr - Staff Report](#)

[2711 Burlingview Dr - Attachments](#)

[2711 Burlingview Dr - Plans](#)

*All Commissioners had visited the project site. Commissioners Comaroto and Tse noted that they spoke to the neighbor to the right and met with the applicant when the project was initially reviewed.*

*Planning Manager Hurin provided an overview of the staff report.*

> *There were no questions of staff.*

*Chair Comaroto opened the public hearing.*

*Rob Wehmeyer represented the applicant.*

**Commission Questions/Comments:**

> *Thank you for getting the lighting consultant involved.*

> *Did you have a specific conversation with the consultant about translucent versus transparent glass? My experience has been that unless you're looking at a bulb, you're looking at the surface that the bulb lights. In this case, you wouldn't be looking at a bulb. Here's what I would expect and would ask you to confirm with your lighting consultant. I would expect that translucent glass, which is frosted glass, is going to act like a diffuser. What you would see through the transparent glass is the lit surface inside.*

*Depending on what the color of those surfaces are, you may not see them at all. (Wehmeyer: That's what lighting consultant said. They wanted to see how the lighting was spaced. There will be recessed can lighting with LED bulbs, not hanging fixtures, and will minimize the number of lights in that area because they're bright to begin with. The glass is going to be shiner, but we could mitigate that with tinted film.)*

*Public Comments:*

*Mark Hudak, representing the Zaarour Family: Concerned about verifying the existing roof ridge elevations and then confirming them during construction because of the impact on views. An FYI at the end of the project isn't going to be good enough if there's a deviation on the elevation. Ask that there be a condition of approval that the existing roof ridge height be verified at the start, that it be reverified when the framing is done, and finally verified at the end of the project. Second, the skylight does remain an issue. It's interesting to hear about the lighting consultant, we haven't seen a report from him or her. We'd like to so we could show it to a lighting consultant of our own, so everybody ends up on the same page. Ideally that skylight wouldn't be there at all. To the extent that we eliminate light coming up and through by making it translucent or with film, it decreases the amount of light that's coming into this foyer, which is the purpose of the skylight supposedly, anyway. Can't have both of those things together effectively. The best thing to do would be to eliminate the skylight because there's plenty of natural light from the windows surrounding that foyer. But if that skylight is going to remain, then we've got to be very precise about what we mean by translucent or this film that's now being presented, or what this lighting is going to look like, otherwise, we're going to get down to the point where we're pulling permits, and staff is not going to know what's permitted and what's not. We need to do more on that skylight, either eliminate it or really drill down on what those parameters will be so that we're not guessing once we get started on this project. This seems like a small detail in a large project, but it's probably the difference between having a project that's good and satisfies everybody, and having one that is a lasting source of contention for the parties because nobody is satisfied. Hoping that we can get some clear direction on the skylight, even if we have to come back one more time after we've seen a report from the lighting consultant and we've had a chance to verify it.*

*Chair Comaroto closed the public hearing.*

*Commission Discussion/Direction:*

- > Appreciate the changes that the designer has made to the project, think they make it a better project. Would like to receive report from the lighting consultant as an FYI.*
- > Like the changes made to the project.*
- > Am convinced there is a solution to the skylight issue. Know that in the case of exterior lighting, there are regulations that limit lighting to the property line. Are there regulations with regard to lighting emitting from skylights? (Hurin: Only regulations we have regarding exterior lighting would be the one you spoke of which restricts it to property line. There is no ordinance which addresses nighttime glow or light omitted from skylights.)*

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

- > Prior to issuance of a building permit, the applicant shall have a report prepared by a lighting consultant that analyzes and recommends which type of glazing most effectively minimizes nighttime light pollution from the skylight; Planning Commission review of the revised plans are not required if the project is modified to accommodate the recommendations in the lighting report.**

**Comment on the motion:**

- > This does raise the question, who are we trying to satisfy? Because there is no regulation and arguably the neighbor could never be satisfied with the solution. In my opinion, suspect**

there will be minimal impact.

> Think the information will be helpful. One could argue that a vertical glass in someone's room is having too much light and bothering a neighbor.

> Wouldn't presume to want to modify the motion, but report that comes back in FYI should clarify what is the best solution in terms of the glazing and the lighting in order to minimize light pollution at night. What we have in the plans before us specifies translucent glazing and as has been discussed, that's the wrong solution for what is trying to be achieved. Would like to know that from the lighting consultant and if the conclusion is no, then transparent glazing would be better.

> City Attorney Kane: Want to make sure the direction that emerges from this action is clear to the applicant. My understanding is that if the lighting consultant report concludes that there is less impact from a different glazing solution, then the applicant is free to substitute that solution without coming back for another round of action. So that would mean the motion is to approve with an FYI from the lighting consultant and to minimize impact.

The motion carried by the following vote:

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

**Absent:** 1 - Sargent

- c. 139 Loma Vista Drive, zoned R-1 - Application for Design Review for a first and second story addition to an existing single family dwelling. This project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (e) (1) of the CEQA Guidelines. (Patrick Burger, applicant and architect; Wu Fang, property owner) (76 noticed) Staff Contact: Michelle Markiewicz

**Attachments:** [139 Loma Vista Dr - Staff Report](#)

[139 Loma Vista Dr - Attachments](#)

[139 Loma Vista Dr - 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.*

*Questions of staff:*

> *There were no questions of staff.*

*Chair Comaroto opened the public hearing.*

*Leong (last name not provided), represented the applicant.*

*Commission Questions/Comments:*

> *Per the color rendering provided, is the plan to paint the siding on the second story a dark brown color or to stain the color that's presented? (Leong: I could ask my designer about it.)*

> *Are there any changes proposed to the landscaping or hardscaping on the site? (Leong: No.)*

> *It looks like the architectural details of the front steps might be a little bit off from the artist rendition. Perhaps the designer can put those front steps into balance and make it look slightly more symmetrical. (Leong: okay.)*

*Public Comments:*

> *There were no public comments.*

*Chair Comaroto closed the public hearing.*

*Commission Discussion/Direction:*

- > *Project benefited by going through the design review consultant process.*
- > *Like reorganizing of windows, achieving some alignments and symmetry.*
- > *Massing is handled nicely.*
- > *Renderings we've received represent the house nicely in terms of the application of the two different materials, the stucco and the wood siding.*
- > *Think the project is better, it has improved and agree with the design review consultant that the project is approvable.*
- > *At first thought that the porch seemed out of balance, but if you were to extend that wall across to the right side, it would be too much of a blank face there.*

**Commissioner Kelly made a motion, seconded by Commissioner Terrones, to approve the application. The motion carried by the following vote:**

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

**Absent:** 1 - Sargent

- d. 757 Farringdon Lane, zoned R-1 - Application for Design Review and Special Permit for declining height envelope 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 15301(e)(2) of the CEQA Guidelines. (Elaine Lee, Elaine Lee Design, applicant and designer; Beth Taylor property owner)(127 noticed) Staff Contact: Fahteen Khan

**Attachments:** [757 Farringdon Ln - Staff Report](#)  
[757 Farringdon Ln - Attachments](#)  
[757 Farringdon Ln - Plans](#)

*All Commissioners had visited the project site. Commissioner Terrones noted that he had a brief conversation with the project architect regarding the information that we being resubmitted.*

*Senior Planner Keylon provided an overview of the staff report.*

*Questions of staff:*

- > *For the declining height envelope encroachment, is that made up of the stairwell and the area in the back of the house on the right? (Keylon: Yes, that's correct.)*
- > *Because there are windows around three sides of the stairwell projection, wouldn't they qualify for the window enclosure exception? (Keylon: No, because the portion of the stairwell which extends beyond the declining height envelope exceeds 35 square feet in floor area.)*
- > *Do we need to discuss the condition of approval regarding the storm drain pipe now or when we close public hearing? (Kane: If the Commission is prepared to take action on this item tonight, we will need some form of condition acted on or the Commission could direct that it be brought back as an FYI. It was drafted with the intent of allowing relocation in some form acceptable to the Public Works Division and not contingent on the action of the other property owner. There is an existing circumstance on site that has to be dealt with in one way or another.)*

*Chair Comaroto opened the public hearing.*

*Elaine Lee, represented the applicant.*

*Commission Questions/Comments:*

*> Commission had expressed an interest in seeing you look at reducing the first floor height to nine feet. Did you look at that at all? (Lee: We did, but it didn't eliminate our request for a special permit. I didn't draft a comparison, but in combination with our setting of the first floor and subfloor lower, we accomplished the equivalent of having a lower first floor plate.) Wouldn't have expected that, but it does reduce the overall sense of massing of the building.*

*Public Comments:*

*Ron Biggs, neighbor to right of project house: Our house fits into the declining envelope, we did a remodel specifically with the same footprint, so all we did was add upwards. We're requesting for them to comply with the declining height envelope regulation. Designer noted that the foundation was lowered in order to maintain the height of the interior plate for the first floor. Know the Commission asked for between an 8 and 9 foot plate on the interior to help make it fit in better with the rest of the neighborhood that we commonly see. Don't see any changes on the plans that has affected the declining height envelope at all. Felt like the recommendations that the Commission had suggested didn't really go anywhere.*

*Chair Comaroto closed the public hearing.*

*Commission Discussion/Direction:*

*> My understanding of the declining height envelope is that it doesn't rise to the level of a variance. Staff report notes that a special permit can be granted as long as the architecture is consistent in massing with the neighborhood. There's no requirement that it must have a special condition, such as the lot is narrower than normal. Would support the intrusion into the declining height envelope because the architecture is consistent and it seem like it fits.*

*> Think the project doesn't fit. Asked applicant to strongly consider reducing the plate heights because most of the houses in the neighborhood are single story. Think that it's probably something that should happen to reduce the overall scale of the project. But as far as the declining height envelope, don't see any objection to that.*

*> Like the changes that have been made. Was supportive of the project when it previously came before us and am supportive of the project now.*

*> Can't say that the recommendations and requests of the Commission didn't go anywhere. They went somewhere, but perhaps they didn't go as far as some of the Commission requested. Will say that the applicant has made some concessions that has helped with the impacts of the special permit for the declining height envelope. A special permit for declining height envelope is being described here as we applied it in past projects. We have special circumstances with the architecture and the massing, and this lot which is 40 foot wide versus a 50 foot wide. Can support the project the way it's proposed.*

*> Don't think that we have a hard and fast rule that 9 foot and 8 foot plates are required for two-story houses. We apply what we think is best in a given situation. We have some modern houses, for example, where a ten foot plate and an eight foot plate on the second floor with a flat roof is appropriate, and we have others with steeper pitched roofs, so we look at projects on a case-by-case basis. We have Commissioners that are strongly suggesting a different plate height, but the applicant has decided to make a concession, but not a concession that went as far as some Commissioners may have wanted or a neighbor may have wanted. Can make the findings for the special permit and design review, think it's a well-designed, well-crafted house. Can support the project the way it has been submitted and revised.*

*> Think that the applicant has made concessions to bring the house more into conformity of what we were looking for, so can support the project and the design.*

*> In the past drainage, roof drainage and drainage of the sites have been brought to the curb, but that changed a few years ago. Am curious why pipe at this point is going through the property, because it's my*



*understanding that we're now letting the water percolate back into the ground. Think issue should be referred to the Public Works Division. (Kane: It's an existing condition going back 90 years and we didn't want to create a situation where the applicant felt this entitlement took care of the drainage issue, which also has to be addressed. If we were to merely have it be cut off and create a flooding situation because it hasn't been dealt with, that becomes a public hazard for this property and the other affected properties. So that's why the condition we suggested was drafted to basically allow a solution acceptable to Public Works. What we were trying to avoid was making this entitlement contingent on another neighbor who is not before you. If the Commission is going to approve this project, we would ask that there be room for us to workout the wording of that condition so we don't create a flooding hazard for the immediate neighborhood.)*

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

**> Prior to issuance of a Building Permit, the applicant shall ensure that plans have been submitted to and approved by the Department of Public Works for either the protection or relocation of existing storm drainage facilities on the subject property in a manner acceptable to the City Attorney and Department of Public Works.**

**Comment on the motion:**

**> Think it's a good looking house. However, am concerned with leaving the plate height at 9'-6" instead of bringing it down to 9'-0". Doesn't seem like they're doing everything they can on their end to work with us. Don't find the argument compelling that applicant was going to need the special permit anyway, so they didn't feel that reducing the impact would make any difference.**

**The motion carried by the following vote:**

**Aye:** 4 - Comaroto, Terrones, Tse, and Gaul

**Nay:** 2 - Kelly, and Loftis

**Absent:** 1 - Sargent

- e.** 1801 Adrian Road, zoned RRMU - Application for Commercial Design Review, Conditional Use Permit, and Parking Variance for a two-story addition to an existing one-story commercial building. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15332 of the CEQA Guidelines (Infill Exemption). (Bryan Miranda, Public Storage Inc., applicant and property owner; Shab Vakili, KSP Studio, architect) (38 noticed) Staff Contact: 'Amelia Kolokihakaufisi

**Attachments:** [1801 Adrian Rd - Staff Report](#)

[1801 Adrian Rd - Attachments](#)

[1801 Adrian Rd - 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.*

*Questions of staff:*

**> If the parking variance is granted, it goes with the tenant and not with the property, right? (Hurin: It**

goes with the use.) (Kane: If an office development were to be built in the same space, they would not be able to take advantage of this parking variance.)

Chair Comaroto opened the public hearing.

Bryan Miranda, represented the applicant.

Commission Questions/Comments:

> There were no questions for the applicant.

Public Comments:

> There were no public comments.

Chair Comaroto closed the public hearing.

Commission Discussion/Direction:

> Appreciate the information and supplemental information that has been provided. Can agree with the findings for the CEQA exemption and can make the findings for the conditional use permit. Accept the parking study and analysis to make the findings for the variance based on this use relative to this property. Think the project is supportable and should move forward.

**Commissioner Terrones made a motion, seconded by Commissioner Comaroto, to approve the application. The motion carried by the following vote:**

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

**Absent:** 1 - Sargent

- f. Application for Conditional Use Permits to install new small cell wireless facilities (antenna and equipment) on an existing wood utility poles located within the right-of-way at the locations listed below. The proposals consist of installing one antenna on top of an existing utility pole and associated equipment attached to the side of the utility pole. These projects are Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15303. (Abby Reed, Modus LLC, applicant; Joint Pole Association, owner; Borges Architectural Group, architect) Staff Contact: Ruben Hurin

1. In right-of-way adjacent to 1505 Bernal Avenue, zoned R-1(119 noticed)
2. In right-of-way adjacent to 1480 Broadway, zoned C-1 (165 noticed)
3. In right-of-way adjacent to 977 El Camino Real, zoned R-3 (158 noticed)

**Attachments:** [Review of Proposed Applications - CTC Technology & Energy](#)[1505 Bernal Ave - Staff Report](#)[1505 Bernal Ave - Attachments](#)[1505 Bernal Ave - Alternative Site Analysis](#)[1505 Bernal Ave - Plans](#)[1480 Broadway - Staff Report](#)[1480 Broadway - Attachments](#)[1480 Broadway - Alternative Site Analysis](#)[1480 Broadway - Plans](#)[977 El Camino Real - Staff Report](#)[977 El Camino Real - Attachments](#)[977 El Camino Real - Alternative Site Analysis](#)[977 El Camino Real - 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.*

*Questions of staff:*

*> Am compelled by the letter that was written by Jennifer Pfaff regarding the potential future undergrounding of utilities along El Camino Real. Is it possible to add a condition of approval that if in the future utilities related to these poles are undergrounded, then this installation either has to be removed or similarly undergrounded? Would hate for the community to be hamstrung in the future by having to keep these poles for no other reason than an approval was granted for these antennas and the antenna were installed. (Kane: Part of this relates to the various rights that telecommunication carriers assert in building out these installations. So in this case, AT&T and other companies are talking about affixing these facilities to existing PG&E franchise poles so if the pole goes away, then that particular invocation or that particularity iteration goes away with it. If it's an undergrounding effort, which is some years off because of the number of utilities located underground along El Camino Real, the pole will go away with it. It's a self-terminating issue. Am reluctant in real time to draft an ordinance that would have to comply with various portions of federal and state laws. They're actively being interpreted now. Certainly something that relates to making sure that AT&T is on notice, that this may be undergrounded in the future and that they will cooperate with undergrounding efforts, is something we can do tonight. Otherwise, think it's something we would want to review in detail and negotiate with AT&T's counsel.*

*The City retained Columbia Telecommunications Corporation (CTC), an independent telecommunications consulting firm, to review the technical aspects and information associated with these applications. CTC, represented by Mr. Lee Afflerbach, summarized the technical review and analysis of the application with respect to AT&T's communications engineering materials, its justification for the site, and the overall functionality of this site in relation to other existing and proposed AT&T transmission facilities.*

*Questions of Mr. Lee:*

*> Am I correct in understanding that these antennas are being installed in areas of high vehicular traffic, in other words, demand for cellular service in vehicles and perhaps also in neighborhoods where there's that high demand? Or are they're being installed in areas where the signal is not adequate to provide road coverage or that there's not in-building coverage? (Afflerbach: It's the signal level required to provide service to customers in buildings.)*

*> If I'm at home or in my car or specifically when my kids are in their car or even in my car, they want to*

plug their phone into my car and they want to get service through their cell phone to play music over the radio on my car, that is part of what this demand is, correct? (Afflerbach: Correct, this is accommodating that. It's also for the smartphone application.)

> So it's not just for phone use, but because there are many other features like streaming, videos, social media which require a lot of data, that's causing some of this need, is that correct? (Afflerbach: Right, these are all the high data speed applications. One is more data and the other is there for a quick response, the time it takes to access the network and do that. The older systems that were just voice only, that wasn't a problem, this is strictly for high speed devices which are video, the kinds of things you mentioned, and also mapping applications.)

> Am I correct in understanding that partly what's driving this is the desire to get to 5G service? (Afflerbach: This is to make 4G work as fast as it can until we get 5G, current applications are all 4G. They're trying to supplement them. Placing more signal or more locations out there is to make 4G the product it really is.)

> Have experienced losing a signal from one block to the next. Would placing these small cell sites help with this issue? How many cell sites would it take? (Afflerbach: These small cell sites provide signals for a 500 foot radius. Typically, you probably need these things repeated, somewhere between 700 feet and 1500 feet depending on the trees and terrain just to throw a number out. You may need 20 or so of these per square mile, so there's going to be more of these coming out and there are multiple carriers, that's what it takes, that's what the technology is.)

> If we have multiple carriers, each carrier is going to want to put a cell tower on each pole. (Afflerbach: Generally not on the same pole. A cell tower to most people means a macro tower, which are affixed to other poles, everybody calls them that. A better description for these applications would be access points. You need that many access points, so it's going to be a macro tower on a building or these access points because you've got two things working against you. One is the fact that the signal attenuates and you need a stronger signal, otherwise it would interfere with a site.)

> Did the City Council at one time ask for an understanding of where we needed these access points? (Hurin: Yes, think it did come up during their conversation of the possibility of looking at a master plan. However, many of the carriers don't know exactly where they need to go with these access points or facilities, so it's difficult to come up with a plan that says you need to have them only located in a specific area.) (Kane: It's a long term work plan item for Public Works staff to look at the City's own facilities to determine which ones might be appropriate, primarily in the commercial areas for light poles. In our residential areas we don't have light poles that are City poles, so we're looking at City facilities in the industrial areas.)

> Each of the applications looked at alternative poles and noted why they were not feasible. As this demand increases, and if so many are rejected for the different reasons, how will this service meet demand? There might be a street that has many poles and then many streets that don't have any. So how would that be dissipated? (Afflerbach: There are other options. These particular applications are using the PG&E poles, but they could use other poles install their own poles. Other cities have chosen to permit self-supporting poles to minimize the wiring, or they're modifying existing street lights. There are a number of ways that this can be done. We're dealing here with specific applications from the vendor, but think that one of the things you want to do is look at the policy of what's available. Each one of these carriers have different needs and these coverage areas are small relative to what the macro sites did before. You've got these applications to deal with right now where the applicant identified problem areas and a solution that's consistent with the other two sites that you approved. Should also consider what will you allow as an alternative because the federal law is pretty specific that access is available, and the question is how do you do it from an ascetic point of view. These applications are quite small, they've limited the number of radios, and the antennas they have are small.) (Kane: Staff will be review design standards for wireless facilities in 2020. These particular applications, fall under the rubric that was deemed acceptable to the City Council at the beginning of the year in terms of the size and style of the implementation, but the broader question of whether there are other facilities where we can channel some of these other applications is something being worked on at the staff level. There are various rights that can be asserted by the carriers of where they claim they can install these facilities as of right and one is on existing utility poles subject to the regulations highlighted in the staff report. So even if we want them to go somewhere else, such as smart poles or something else that the Council may prefer, ultimately, we

can't constrain the carriers to making those applications. But the key thing for tonight is to look at the applications before you and see how they relate to their location and aesthetics and what's permissible under the precedent we have here.)

> Can the antennas be underground? (Afflerbach: Since coverage area is based on the height of the antenna, the size of the antenna and the frequency, the antennas cannot be located underground.)

> We don't have to have them on a pole, they can go on a building or permanent structure, right? (Afflerbach: Generally those were macro sites. They are sites where there are multiple providers and contain large antennas. These small cells typically have antennas that are somewhere between two and four foot high and generally blend into the poles that they're mounted on.)

> That's what we find in a residential area because all we have is the utility pole to work with, right? (Afflerbach: Yes, right now the most common approach is to use a standard pole, and the poles are subject to availability because there may be other utilities on the pole, that's why some of these are not accepted by the utility.)

Chair Comaroto opened the public hearing.

Ellen Kamei and Abigail Reed represented the applicant.

#### Commission Questions/Comments:

> Fiber optic cable will be used to connect these sites. Where is that capable going to go? (Reed: The cable is existing at all three locations, which was permitted by a separate permit processed through the City. It's a coil or black box that's at the power I.)

> So is there a fiber optic running from this pole to others? (Reed: Yes, generally the cable is pulled from a backbone fiber optic cable, which has already been completed for these three sites.)

> Can you tell us why property owners of commercial buildings were not interested in allowing you to install the equipment and antennas on their buildings? (Reed: It can be for a multitude of reasons. For two of the sites, the case was just that they weren't responsive to us, so we called them multiple times and left voicemails and never got a call back. The smog shop told us they weren't interested in negotiating with us.)

> Do you know what could be their reasons for lack of interest, a concern for radiation, or what typically would be the reasons? (Reed: Some of them are health concerns, it's hard to say exactly what their reasons are. Sometimes people don't want to enter into negotiations, it's a lot of time and effort on their behalf to show us around, and we also need to enter into their buildings with notice, so it requires more effort on their behalf.)

> Shrouds are an improvement over past versions we have seen, but they're big dumb boxes. You said that the side of the shroud will have small holes in it for circulation. Could the holes be put into a pattern? Reason I ask this is because there are a lot of decorative perforated boxes and surfaces around these days, you see it a lot in modern architecture. (Reed: That can be included in our conditions of approval, we'd be happy to do that. The bottom and top of the shroud are open to provide ventilation.)

#### Public Comments:

Steve Lamont, Burlingame resident: Have been in the wireless industry since 1985. We have an ordinance in place. Believe it's vital that we get the master plan from the carriers of the number of sites they plan to have. Have talked with other industry experts that would say that we are going to end up with upwards of 1,000 small cells in Burlingame when this whole thing settles out, think there are a couple of good reasons for us to have that number in mind. Concerned that we'll start to get applications like this that is looking at the first two as if they've set a precedent. Multiply that by 500 or 1,000 and we see what the total impact is going to be. That's why we believe it's important we have that big picture of how many are going to be in our neighborhoods. Enjoyed listening to your discussion of the other applications for homes tonight and the consideration for the laws and the aesthetics, believe we need to be putting these cell sites through the same review, there are more aesthetically pleasing solutions that other cities push for. Should look at small cells on Google images and you'll start to see a lot of innovative designs. Every month there are new

technologies coming. There are ways for the equipment, at least, to be undergrounded and there are ways for the equipment to be put within poles. If we push back and work with the industry to help them find good designs, and say if you can design within these parameters you're going to get past approval going forward, we might find a good win-win solution. Think we should push this back for more consideration.

Jennifer Bertetta, 1012 Drake Avenue: Here tonight on behalf of my family and my neighbors to express strong opposition to the small cell wireless facility applications in addition to the pending application at 1100 Drake Avenue which is less than 250 feet from my residence. Small cell wireless sites are unattractive, lower our property values, and most importantly have unknown health effects. Science shows we're affected by these RF emissions whether we can feel it or not, and research is starting to show links to infertility, DNA damage, leukemia and cancer. These small cell sites do not belong in our communities. The cumulative effect of these RF emissions and the continued exposure to them can change one's health, particularly young children whose cells are still dividing. Children deserve a safe place to sleep. There are better places for these small cell sites and we need to be smart and sensible on how many we place and where we place them. Fully realize in today's society, customers are demanding faster service and companies like AT&T and Verizon want to meet the needs of their customers. This may come at a price to Burlingame residents and wireless companies will tell us that under the Federal Telecommunications Act of 1996, that they have the right to install cell towers wherever they may choose to. However, cities such as Palo Alto and areas of San Francisco have already pushed back. Jeremy Johnson, an expert in EMF exposure said the following in 2016: "The FCC is not protecting the public and the public is not being properly informed on this issue. The FCC is supposed to be regulating this industry, but its regulations are over 20 years old. Our most advanced technology is using science that is also at least 20 years old and is based on a 50-year-old concept that said if microwave radiation can't heat us, it can't possibly hurt us. Hundreds of studies have shown this is false. The industry is influencing the regulatory body. There appears to be a revolving door between the wireless lobby and the FCC Commission, plus the science is heavily influenced by industry funding. Industry funded studies show these small cell sites are safe whereas independent studies show effects saying these are not safe. We already saw this play out in the smoking industry. The smoking industry studies told the public that their product was safe when we all know now that it was not and many of us lost loved ones to lung cancer. We urge you to please vote no on these applications. As a long time Burlingame resident, it is my expectation that our elected representatives' primary concern is to do whatever it takes to keep their community safe. Burlingame should continue to fight any FCC orders and remain a part of the coalition with place like Los Altos, Palo Alto, Mill Valley and parts of San Francisco.

Annette Doherty, Burlingame resident: Not going to be immediately affected by one of the locations, however have done a lot of research on this issue. Am not an engineer, but am in the health field. Would say that as the last person who spoke said, much of the funding on scientific studies has been done by telecommunications companies showing that there is no provable data. Other scientist from around the world found that there is scientific data that RF communication waves are harmful to our health. We know that you can smoke a cigarette and you're not going to get cancer, but your risk if you smoke 12 packs in a year gets higher. Each time you do something, each time you're around something, it gets worse. Mill Valley has not moved forward with micro cell antennas as the other areas such as Palo Alto, parts of San Francisco, Encinitas, Carmel, and Carmel, Indiana. There are 23 other states suing their legislatures to find better scientific data to protect themselves. Also think blight is a huge issue. We're talking about three small cell sites now. Have read they're looking to put 1,000 because they're not super effective at this point. Think a thousand poles handling more boxes is going to be a huge blight for our city. We pride ourselves on trees and beauty. We spent hours on our design review project and it was challenging to get something passed through because Burlingame cares how something looks and for us to say it's okay, it's not. It's going to be ugly and they're going to keep coming and setting the precedent. The last time the FCC did studies was in 1996 and they tested from the base of the pole. Gentleman who spoke earlier said it's minimal at the base of the pole, there is much less or radiation of the base of the pole and that's where the FCC has been testing. Concerned more about second stories, most people have their bedrooms on the second story, so if you have a cell tower 50 feet, you're going to be sleeping and getting RF wave emissions. Our phones are downstairs and they're in airplane mode at night, so I think it's the

responsibility of the City Council to protect us and would urge you to oppose this and look for a bigger review and plan for City.

Danielle (last name not provided): Concerned with application at 1505 Bernal Avenue. Live on Vancouver Avenue and am within the 300 feet of the planned cell access point. Am a nurse by trade and the FCC does not allow us to consider health concerns, but think Burlingame is being short-sided in allowing these to go forward. My child walks to Lincoln school and will walk to school at BIS, don't know if you want your kids walking under that cell tower every day. Speaker said 100 of those would be exceeding the frequency, my child will walk under that more than 100 times because we care about the environment, we walk to school, we don't drive. Have many friends who have been to this Commission who asked for modifications to their house, and you've said no. Seems like Burlingame is scared of the lawsuits, but Hillsborough and Palo Alto, places that are similar to us and have similar values, who care about the environment, those cities have taken the necessary steps to protect its inhabitants. When I saw this application, considered moving to Hillsborough because they don't have these. You're going to lose community members and a thousand of these is horrific. Can't imagine these all over the place, and you know AT&T is going to file a lawsuit when you take down the pole to put utilities underground, you're going to fight a lawsuit now or later. Am a nurse practitioner and care about this because I work with adults and kids with cancer. We don't have all the data and we should consider this. At the very least, they should not impact the beauty of our City. Concerned about how it may affect the wildlife. There was the recent New York Times article about the loss of a billion birds. How is this going to affect them?

Danielle Reynolds, 1400 block Bernal Avenue: Concerned with application at 1505 Bernal Avenue. We walk to school every day. Use AT&T as carrier and have never had an issue with dropping cell coverage. How do they get their information pertaining to this location? Why did they choose this location on Bernal Avenue? Can you convey that to us who live in the area? Seems like that wasn't discussed. Would like to know why this location was chosen when none of my neighbors have complained about AT&T or Verizon or any of the carriers for that matter. Specifically to that site, in looking at different options, this one was chosen because it said it was between two houses and not specifically in front of one of the other houses like the others. Seems like it was affecting two houses instead of one. In terms of blight it's very ugly. Concerned with impacts on health with so many kids walking to school in the area.

Chair Comaroto closed the public hearing.

*Commission Discussion/Direction:*

- > They don't seem to be very intrusive.
- > Appreciate the input from the consultant.
- > For the installation that's being proposed that has been designed for these locations, not considering other alternatives, they're simple and they're as streamlined as possible.
- > Considering the issues of time place and manner for these particular applications, have a hard time rejecting them for what they are.
- > Need a master plan to see how many of these things are going to be because there are several carriers. Was surprised by the fact that these small cell sites cover about three to six hundred feet. How many are we going to have and how many poles do we have to consider? Don't know exactly how to commission a master plan. Who does that and how? How do we tell all the various carriers you have to get together and provide a master plan for our City and anticipate everything?
- > Maybe there is some other module or something smaller, something better.

City Attorney Kane: Carriers assert rights to utility poles that are different than other forms of master planning that we may do. So they assert state law rights to the utility poles that are independent of the City saying, for example, we would rather have smart poles that are both a light pole and an antenna and have wifi. So City staff is engaged in trying to work with our neighboring jurisdictions and on our own Public Works basis in determining City infrastructure preferences that will be brought to City Council. There's the question of having streamlined design preferences for the things that go on utility poles, saying this model

is the kind that would be acceptable and this model wouldn't. Some cities prefer to have the antennas lowered down, but sticking out from the poles as opposed to be vertically aligned. Those are the kinds of questions the City can express questions for and the carriers are generally responsive to, provided that it works for the engineering. The City can't impose any standards that have the effective of preventing the build out of cellular structure. What we're looking at is channeling the requests rather than out right preventing them. The City is engaged and has been for a number of years in litigation at the federal level to challenge the FCC's preemption of state and local action on this. We're part of a national coalition that's doing that right now, it's in the court of appeals being litigated. We also have a 5-year history of litigation here in this City challenging and winning the rights to regulate some of the aesthetics we're talking about tonight. So it's not a question that the City isn't protective, the problem is where is the fight, the fight right now is at the federal level on the question of how much preemption is appropriate. I'm sure the applicant is not happy to hear about our role in the federal litigation, but that is Council's direction and that is where the City and others are pressing their efforts. Some other cities have taken other approaches in the immediate near term, some of those yielded litigation for them. We do try where possible to coordinate, especially in the border areas, to make sure we don't have unnecessary replication or unnecessary inconsistency with infrastructure across the border so we don't end up with redundancy or mismatching with our contiguous agencies. Ultimately, this is a policy call because the way the politics breakdown. This is a policy call for each City Council on how they want to approach these issues. What we're trying to work towards here is making sure that we exercise the maximum local control we have today on the question of the aesthetic appropriateness that we're allowed to talk about and that we push the issue at the federal level to make sure there's as much local input as possible on these issues. The important thing here is that it's good feedback for staff and the Council about both the public and the Commission wanting to get our arms around where this buildout is coming and that's something we are working towards. But in the meantime, we do have the applications before us that are subject to timelines for our review, and so we have to take an action on the ones that we have now.

> There is a letter in our packet from an attorney providing guidance to the City Council. It's very clear we can't consider RF emissions. However, what is very clear in here is that we have significant flexibility with respect to aesthetics and there's a particular statement in here I found really interesting. The letter suggest to the City Council that we can require the provider during the application process to demonstrate that a gap exists, and I haven't seen that evidence. We can ask that the solution to fill that significant gap in service is made by the least intrusive means possible, and I don't see that happening. I'm hearing that there are other solutions that are less intrusive, but I haven't seen those. Is the solution put in front of us less intrusive than the last version? Maybe, but it's still a big, dumb box. The question has to be asked, is there a better solution? If there is, show me what the options are. It's not unreasonable of us to ask.

> Am concerned that I don't know there will be thousands of them, but it's not unreasonable to expect they're going to come, and we can't prevent them from happening.

> Would like to see a better solution than this. It's in our own best interest and the best interest of the community to press as hard on every one of them that comes in front of us, not to prevent them, but to ask if there is a better solution.

> We're not going to get a master plan, so we need to require the providers to show us the absolute best, prove it to us and show us the best solution. Don't show us one thing, show us why this is the best solution. If other communities are getting better solutions, why not us?

> Our purview here is design review. Have this inevitable feeling we're getting crushed down from these horrible looking steel boxes. See the need to maintain what this City is known for and its dedication to aesthetically pleasing designs.

> We should go back to the drawing board to look at options that will provide a uniform approach for the entire City, not every neighborhood in our City has tall, 30-foot telephone poles.

> There are other options. Know that in San Francisco, there were some specific examples where they were mounted to street signs, and they're much smaller and much more compact. Would be interested to know if this equipment can be mounted underground. Don't think the entire package needs to be on the pole, but maybe if that can be explored by the applicant. There have to be some other options.

> We don't have to necessarily accept what is being put before us, think we can ask for other options of



*how these can be mounted. We're not saying don't do it, we're saying let's see if we can find a better, more aesthetically pleasing way to do it and a more efficient way to do it in Burlingame.*

*> Probably a bit much to ask for a uniformed approach, but it seems that we can require a thorough study. Should be doing our due diligence. Show me that you need it and show me different options. We should take this very seriously if we're going to see thousands, don't know if that number is right.*

*> Can we put a cap on the number of cell sites? (Kane: No, we can't do anything that effects the provision of the cell coverage per the FCC. We can try to channel, as we have talked about in certain locations or certain kinds of aesthetic packages. We can express a preference for certain kinds of, for example, like some cities do with smart poles. However, some cities find smart poles unattractive because they're bigger than the slim line pole. We are constrained in what we can do, and that's why the City is involved in moving the needle on that law to allow more local control, but for now, we cannot put a limit, and nor can our aesthetic regulation have the effective of preventing build out. We can't have aesthetic standards that no one can feasibly meet and still is provide the coverage.*

**Commissioner Kelly made a motion, seconded by Commissioner Loftis, to deny the application.**

**Comment on the motion:**

**> Would there be consideration to continue the motion so we can get different or better information? If we're interested in seeing what other options are available, would like to know if it's possible for CTC to assist the City in understanding what other types of installations are possible. They're familiar with other locations and other types of installations. Find it hard to say to AT&T or to other carriers, show us the other installations that are possible because I don't know what the right technology is. They also may not be interested in looking at other options because they may not be cost effective or not viable for these particular poles that they've identified. Would be interested in knowing in an objective fashion, what other options are possible.**

**City Attorney Kane: CTC and staff have explored what alternative are available. It has to be engineering first, so you look at what would achieve the objectives and then you look at which kinds of installations can do that. Don't think it has been analyzed for this, how many different alternative configurations are possible on these particular installations, but it is something we can explore with our consultant and the applicant. Denying something on aesthetic grounds without having explored alternatives that address the aesthetic concerns is not something that makes a lot of sense from a record perspective.**

**> Would like to retract my previous motion and motion to continue the application with the direction to see alternative designs from the applicant. The motion was seconded by Commissioner Loftis.**

**Comment on the motion:**

**> Would like input from the independent consultant on alternative designs. (Kane: One thing to remember, like an applicant's design review for a house, we can't ask an applicant to build a tutor if they want a bungalow. AT&T may decide that they don't want to submit something that the Commission likes and that is within their purview to amend or not amend their application. We can at least have the time to explore the question about whether alternatives are possible.)**

**> My concern is that I don't know what the other options are.**

**> Would argue that we don't need the independent consultant, we need the applicant to show us the other options. (Kane: Not all options are engineering feasible for the location.)**

**> Would like the applicant to provide a layman's presentation in understanding what the issues with coverage and gaps, may help us in understanding the needs in the given locations.**

**> Two of the three applications are on El Camino Real, which runs north and south through many cities along the peninsula. Would be good to see what other applications have been used. (Kane: Understanding that most of El Camino Real doesn't have the tree cover that**

Burlingame has, so that may change the nature of the feasibility analysis.)

The motion carried by the following vote:

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

**Absent:** 1 - Sargent

## 9. DESIGN REVIEW STUDY

- a. 1548 Howard Avenue, zoned R-1 - Application for Design Review for a first and second story addition to an existing single family dwelling. (Hector Estipona, J Deal Associates, applicant and designer; Hugo Girol, property owner) (111 noticed) Staff Contact: Fahteen Khan

**Attachments:** [1548 Howard Ave - Staff Report](#)  
[1548 Howard Ave - Attachments](#)  
[1548 Howard 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.*

*Chair Comaroto opened the public hearing.*

*Jerry Deal represented the applicant.*

*Commission Questions/Comments:*

> *For the addition at the rear of the house, are you working with existing plate light, and that's was springing up the gable at the rear and causing the peak to extend above the existing roof ridge? (Deal: Yes, that is correct.)*

> *It appears that the existing front porch windows along the right side of the house are being removed. What is the reason for removing the windows? (Deal: To make the porch more open, not sure if they'e even the original windows.)*

> *Would it be possible to make the gable end vents a little more substantial? (Deal: Yes, we can do that.)*

> *Did the original house contain wood shingle siding and is that what your are proposing to install? Worried about the required engineering for the project given how much of the existing siding is being removed. (Deal: Yes, an engineer is working on the plans now.)*

*Public Comments:*

> *There were no public comments.*

*Chair Comaroto closed the public hearing.*

*Commission Discussion/Direction:*

> *Love the old flavor of Burlingame and the history this house represents, so in support of preserving what you can. Think it's an ambitious project and am happy you're willing to undertake it.*

- > *Think it's really well designed, addition fits in well with the existing architecture.*
- > *Noticed the roof peak extending above the house as well, not a huge deal, but would happier if it didn't happen. Would need to adjust the width of the spring point of the second floor gable at the rear of the house. Would encourage the applicant to look at reducing the width so the roof didn't extend above the original roof ridge.*

*Chair Comaroto opened the public hearing.*

*Deal: One thing we could look at doing is reducing the plate heights on the sides of the gable, that would be a pretty simple solution.*

- > *Would be terrific if you can make the peak that rises above the original ridge go away so it really is the same old house, seems like it can be done. (Deal: Yes, we can do it.)*
- > *Might be a little fussy and too small, but another solution could be to make the roof extension a gable that sits on the original roof. (Deal: Agree. We could also slightly reduce the pitch, which would bring it down.). If you reduce the roof pitch, then you should also do that on that lower floor gable on the back so they match.*

*Chair Comaroto closed the public hearing.*

**Commissioner Terrones made a motion, seconded by Commissioner Loftis, to place the item on the Consent Calendar when the plans have been revised as directed. The motion carried by the following vote:**

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

**Absent:** 1 - Sargent

- b.** 228 Stanley Road, zoned R-1 - Application for Design Review for a new, two-story single family dwelling and detached garage. (James Chu, Chu Design Associates, applicant and designer; 228 Stanley Road LLC, property owner) (142 noticed) Staff Contact: 'Amelia Kolokihakaufisi

**Attachments:** [228 Stanley Rd - Staff Report](#)  
[228 Stanley Rd - Attachments](#)  
[228 Stanley Rd - 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 Comaroto opened the public hearing.*

*James Chu represented the applicant.*

*Commission Questions/Comments:*

- > *Concerned about broad face on right side elevation near front of house. Could you consider breaking up the broad face by extending the porch eave onto the right side of the house? Would add texture to the right side elevation. (Chu: Yes, we can do that.)*
- > *It's an okay design, feels a little sleepy to me. Doesn't have as much going on as many of your other designs which struck me as a little odd. Think some added detail like what was suggested will help.*

*Public Comments:*

- > *There were no public comments.*

*Chair Comaroto closed the public hearing.*

*Commission Discussion/Direction:*

- > *Project needs some additional details as previously noted.*

**Commissioner Loftis made a motion, seconded by Commissioner Terrones, to place the item on the Regular Action Calendar when plans have been revised as directed.**

**Comment on the motion:**

- > **There could be details and knee braces on the gable ends, or something of that sort to add some texture, don't think it needs a lot. The massing is handled nicely, but project needs more detail.**

**The motion carried by the following vote:**

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

**Absent:** 1 - Sargent

- c.** 3016 Arguello Drive, zoned R-1 - Application for Design Review and Hillside Area Construction Permit for a first and second story addition to an existing single family dwelling. (Kim Yee Lee and Seow Hui Yeoh, applicant and property owners; Ha Nguyen, HN+Designs, designer) (84 noticed) Staff Contact: 'Amelia Kolokihakaufisi

**Attachments:** [3016 Arguello Dr - Staff Report](#)

[3016 Arguello Dr - Attachments](#)

[3016 Arguello Dr - 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.*

*Chair Comaroto opened the public hearing.*

*Ha Nguyen, represented the applicant.*

*Commission Questions/Comments:*

- > *What is the second floor plate height? (Nguyen: Second story plate height is 9 feet.)*
- > *Looks like your roof plan is not matching up to your elevations, roof plan indicates that the slope of the roof is 8:12 and elevations are reflecting 6:12. (Nguyen: Originally we proposed 8:12, but we changed it to 6:12 based on discussions with the design review consultant.)*
- > *What is the dimension of your vertical siding? (Nguyen: Siding is 1x6.)*
- > *It appears that the windows in the music room don't comply with egress requirements. (Nguyen: Owners don't anticipate using the music room as a bedroom; owner requested that windows be placed*

high on the wall to accommodate music equipment). If music room qualifies as a bedroom, then windows will need to comply with egress requirements.

- > There is a large window over the tub in the master bathroom overlooking the street. Is it your intention to have a large window there or is it going to be glazed with obscured glass? (Nguyen: Yes, that was our intention, think bottom portion of the window will contain obscured glass.)
- > Make sure plans clearly show the existing and proposed first and second floor plate heights.
- > Consider bringing down the second floor plate height.
- > Think it's a nice design, but there are a couple of places that are a little odd. Front and rear elevations are nice and seem inviting, but the two side elevations are not quite as nice, they seem very utilitarian. Second floor seems top heavy...maybe it's the way it's drawn, not sure.
- > Did you consider adding a window along the left side of the house in the garage or kitchen, or both? It seems like a blank brick wall there.
- > Right side elevation seems very orderly until you get to the front of the building where the windows just stop and there are two floors of blank wall, seems as though there's nothing going on inside. (Nguyen: This is because these rooms have windows at the front of the house, owner would like a place to display artwork along this wall.) Need to think about the composition of the outside, it's a balance between what's happening on the inside of the room and how that affects the outside, seems very utilitarian.
- > Would be helpful to have a color rendering included when the project returns. Think it can be a really handsome house based on the fact you're proposing gray brick, gray siding and ebony colored windows.
- > The other element that's leading to it being vertical and top heavy are the windows on the second floor being the same size as the windows on the first floor. Window are large on the first floor, which is great, however the windows on the second floor are too large. Should provide hierarchy by making second floor windows smaller, would also help the second floor to settle down a bit more
- > There are a number of skylights proposed and they appear to be flat. Will the skylights be flat glass as opposed to acrylic? (Nguyen: Yes, that's correct.)
- > Will the exterior siding be 1x6 with a v-groove? (Nguyen: Will be either tongue-and-groove or shiplap.) Will it have a v-groove detail? (Nguyen: Yes, it will have a groove.)
- > There is a fireplace shown in the living room, but the elevations don't shown a chimney or venting. (Nguyen: It is a direct vent fireplace, so there will be a vent on the exterior wall).
- > Noticed on your plan that the proposed windows are fiberglass. Do you have a manufacturer? (Nguyen: It will be a Marvin Fibrex window.)

#### Public Comments:

Howard Joe, 3024 Arguello Drive: Have concerns with the proposed project. Would like views preserved, especially from the second story room facing the street and adjoining the subject property. Also concerned about impacts on natural light from the proposed project. Expect some impact, but don't want it done in such a way that it changes my living style. Is there any possibility to have story poles installed so we can have an idea of what it would look like? Concerned with impacts on privacy, second story will be looking in my dining room and living room, what kind of provisions can be put in place in order to protect my privacy? Lastly, not sure the proposed house fits into the neighborhood given its size. My two-story house is 2,600 square feet and there are similar two-story houses in the neighborhood, but nothing as large as what is being proposed.

Bill (last name not provided), 3008 Arguello Drive: Have many concerns with the proposed project. Proposed footprint is way larger than any other houses in neighborhood. My house steps down approximately four feet from them. Have my two daughters and their windows face towards the proposed house. Most of the houses that are two story in the neighborhood have windows only on one side. In my house, we have windwos facing up the hill, on our downhill side we have no windows. The neighbors next to us have windows facing up, but none facing down. This is common throughout the neighborhood. Daughters' room will have no sunlight or privacy because the proposed windows are probably five or six feet above the only window in her room, that's the only view they'll have. Concerned with loss of privacy and sunlight in the winter time, proposed house will block everything. We haven't seen any artist rendering of what the house is going to look like. Concerned with metal fence and gate proposed along the front of the

property, would not be consistent with what's in the neighborhood. Also concerned with the number of the rooms proposed in the house, seven seems a bit excessive, wonder how honest they are about what the house is going to be use for. From what I understand, it's going to be husband and wife and two kids. However, we've had neighbors who were renting out bedrooms, they had ten people living in the house with many cars parked on the street. Concern about the size of the house, impacts on sunlight and views. Would like to know if they going to soundproof the music room, don't want to hear music in the middle of the night. Concerned that it's going to be a short term rental house or a house with multiple families. Am happy to have a similar house to the those currently in neighborhood, a two story would be more than welcome, but not something that is this large and inconsistent with the neighborhood.

Chair Comaroto closed the public hearing.

*Commission Discussion/Direction:*

- > In walking the neighborhood, this house doesn't appear to be larger than any of the others. Think the design is relatively cohesive, think it needs a few tweaks we as we've already discussed, but think the style matches the neighborhood.
- > Oddly enough, there are a number of metal roofs in the neighborhood, they're not just standing steam metal. Think the project can move forward, it just needs a little refinement.
- > Once the plate height is brought down on the upper floor and the building is slightly shorter, it will fit into the neighborhood pretty well.
- > Understand neighbor's concerns with regards to privacy, however there's no right to privacy, so all we can do is suggest good neighborly consideration. Doesn't matter if this is an owner occupied or speculative house, we don't have the right to ask that, nor can we project what might happen in the house.
- > Should reconsider the fence and gate at the front of the property, shouldn't be a project that feels walled off because none of the other houses in the neighborhood feel walled off.
- > Think the second floor plate heights need to be reconsidered, think it would help if the height came down to 8 feet. You could still get volume on the second floor with vaulted ceilings.
- > Story poles should be installed because we need to fully understand what the massing impacts could be on both side neighbors and the neighborhood in general.
- > Need a better landscape plan, can't understand what some of the big blocks are trying to represent.
- > Should consider meeting with your neighbors to discuss location of proposed windows in relation to the neighbors' daughter's bedroom, perhaps something can be adjusted to resolve that issue.

**Commissioner Terrones made a motion, seconded by Commissioner Tse, to place the item on the Regular Action Calendar when plans have been revised as directed and story poles have been installed and certified. The motion carried by the following vote:**

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

**Absent:** 1 - Sargent

- d. 601 California Drive, zoned C-2 (North California Drive Commercial District) - Environmental Scoping for Design Review, Conditional Use Permit for building height, and Condominium Permit for construction of a new, five-story, 26-Unit live/work development. (Ian Birchall. Ian Birchall and Associates, applicant and architect; Edward Duffy, property owner) (102 noticed) Staff Contact: Erika Lewit

**Attachments:** [601 California Dr - Staff Report](#)

[601 California Dr - Attachments](#)

[601 California Dr - 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.

Questions of staff:

- > In the section under development and impact fees, we usually get an initial assessment or calculation of what we think those impact fees are going to be. Is there a reason we can't get that this time? (Keylon: Because this is a study meeting, we may not have received the data for the existing building, for which they get a credit, and therefore can't calculate the fees. But it's putting it out there that these are the fees that the project would be subject to; calculations will be determined at a later date.)
- > They're not exempt from fees, but they haven't been calculated yet? (Keylon: Correct.)
- > If the project is defined as live-work, they are not required to provide an on-site delivery and service vehicle parking space, correct? (Keylon: That is correct.)
- > If it's condominium project, they are required to provide this space, correct?. (Keylon: We have waived those requirements in the downtown district.)
- > When we say live-work, we mean that potentially they can have customers or clients come in their condominium? Define live-work. (Keylon: The definition is very broad. It talks about a commercial/office space as well as the residential component. You couldn't have an auto repair business, but if somebody is an artist, a financial planner, or accountant, you would have to assume that some clients are coming to and from the site throughout the day.)
- > Staff report says you have off street parking. The area for delivery service vehicles is not required or provided with this project and it's only required for residential condominium. The next paragraph, it says the residential regulations are most appropriate for live-work projects. Please clarify. (Keylon: Because live-work is very limited in where it is allowed in the City of Burlingame, there are no specific regulations that apply just to live-work. We are dealing with a use that's commercial and residential. We looked in the past live-work projects we have done and applied those criteria. In some cases it's residential and in some cases it's commercial. We had to adapt, if you will.)

Chair Comaroto opened the public hearing.

Ian Birchall represented the applicant.

Commission Discussion/Direction:

- > The work portion that you have is approximately 8 feet by 9 feet in area. Help me understand how this is live-work? (Birchall: We were asked to identify a work area on the plans for submission. There's no requirement that we have found and confirmed with Planning Division for designated area of a certain size, shape, percentage section of the apartment. So we drew in an indicator of work area which probably will be customized for each of the occupants.)
- > Otherwise, this is a condominium project and condominiums are not allowed in this area, but live-work is allowed, is that correct? (Hurin: Under current code, that's correct.)
- > We have a relatively dead street. Other than the lobby that comes in, you have the electrical room and the bike storage, and then access to the stair. Otherwise there's no life, there's no commercial space along there that we can latch onto to help call this live-work. Is there a way to consider finding another place for the electrical room and the meter room and incorporate another type of use on ground floor to activate it? Perhaps a conference or work room that's rentable that might help with this live-work concept. In other words, the people living in the upstairs units have access to a conference room they can rent to meet with clients. If there were a space like that on that ground floor on that street frontage, think that would push it closer towards that live-work concept.
- > Clearly show height of screens between patios on building elevations and renderings.
- > Something about this project feels a little more work than live, feels a little too much like an office building. It might be the rendering and the apparent gray glass. Biggest problem is achieving respect and promotion of pedestrian activity by placement of buildings to maximize street frontage.
- > Need to find a way to address the pedestrian issue. It is a design criteria that's stated very explicitly in the commercial design review guidelines and the project fails without answering that question.

> Like the architecture the way it's working. Like how you've taken the four floors and have a finish and massing on that. Like what we're doing on the fifth floor in terms of architecture and different color palette. Would ask that if there was a way to have that come down for that central lobby to help. It appears you're changing colors on some of the window framing and curtain wall framing at that second floor. Is there a reason that lighter color doesn't continue down?

Public Comments:

> There were no public comments.

Chair Comaroto closed the public hearing.

There was no action, as the application will return on the Regular Action Calendar once the environmental review has been completed.

## 10. COMMISSIONER'S REPORTS

Commissioner Comaroto noted that she attended a meeting with the City Manager and staff regarding discussion of proposed improvements along El Camino Real as they relate to trees, sidewalks and bus routes.

## 11. DIRECTOR REPORTS

> City Attorney Kane notified the Commission and public that there have been a number of state law changes to accessory dwelling units, some of which are inconsistent with each other and some inconsistent with our existing ordinance. Staff's intention is to where there's an inconsistency to comply with state law which means some provisions of our ordinances may not be applied until such time to bring forward a coordinated zoning code amendment to reflect the state law updates. You can anticipate seeing that in the first quarter of 2020. There's the likelihood there will be legislation at the state level to try to reconcile some of the statutes, but because the mandates go into effect January 1, 2020, that can't happen.

> Planning Manager Hurin noted that the Commission approved the 2020 Planning Commission Schedule this evening. However, if you would like to cancel a meeting during the summer, we can bring an amended schedule for your consideration in the future.

## 12. ADJOURNMENT

The meeting was adjourned at 11:42 p.m.

*Note: An action by the Planning Commission is appealable to the City Council within 10 days of the Planning Commission's action on December 9, 2019. 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 19, 2019, 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 \$1,045, 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.*