



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, January 27, 2020

7:00 PM

Council Chambers

- a. 1415 De Soto Avenue, zoned R-1 - Application for Design Review for a second floor addition to an existing single family dwelling and Parking Variances to reconstruct an existing detached garage. (Audrey Tse, InSite Design, applicant and designer; Liza and David Levitt, property owners) (117 noticed) Staff Contact: 'Amelia Kolokihakaufisi

Attachments: [1415 De Soto Ave - Staff Report](#)

[1415 De Soto Ave - Attachments](#)

[1415 De Soto Ave - Plans](#)

All Commissioners had visited the project site. Gaul spoke with neighbor at _____.

Associate Planner Kolokihakaufisi provided an overview of the staff report. There were no questions of staff.

Chair Comaroto opened the public hearing.

Lauren Lee, InSite Design, represented the applicant with property owner David Levitt.

Commission Questions/Comments:

- > *Existing front gable appears to be taller than shown on the front elevation. Concern is that on the second floor the gable could run into the second floor window. Should check. Same with the driveway.*
- > *Was there consideration of sloping the flat roof over the family room? Would improve the design. (Lee: Considered but omitted for cost reasons.)*

Public Comments:

Concern with the garages. Believes the garages have a common wall. Concerned if the garage is taken down, that the wall of the adjacent garage is not disturbed.

Chair Comaroto closed the public hearing.

Commission Discussion/Direction:

- > *Garages are built up to each other and roofs slope together. Should have something to allow drainage, or consider moving the garage one foot away.*
- > *Likes the design but concerned with the roof pitches.*
- > *Would prefer a sloping roof at the back but not critical since it is at the back of the house.*
- > *Having difficulty with the variance in terms of extraordinary circumstance particular to this property. Not just what was built previously, and can't have cost as a consideration.*
- > *Family room inhibits ability to provide as much parking as required. Would not be able to fit two spaces in and have sufficient backup space.*
- > *Existing construction is an extraordinary circumstance.*
- > *Without tearing down the family room, can find justification for the variance.*

- > *Asks that the variance application be revisited. Comments on the budgetary reasons should be removed, for the record cannot be the reason itself.*
- > *Applicant should clarify with the neighbors how the garage will work.*

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FEB 12 2020

CITY OF BURLINGAME
CDD-PLANNING DIV.

February 11, 2020

City of Burlingame Community Development Departments
501 Primrose Road
Burlingame, California 94010

Regarding: 1415 DeSoto Avenue – Response to Design Review Study Comments

Please find enclosed revised plans labeled Planning Commission Comments and dated 2/6/20 to address the Planning Commission's Design Review Study comments from the January 27th meeting.


1. Roof pitch: Gable pitches have been checked and revised to reflect the existing 5:12 slope. Modifications have been made to the sill height of the street-facing windows for the upstairs bedrooms to account for the steeper roof pitch. Please note that egress windows for these bedrooms are on the left and right side elevations.

2. Family room roof: Our client has reviewed and discussed the flat roof over the family room and have decided that there are no material benefits to be gained by reconstructing the roof over this room. They realize that a pitched roof to match those being proposed for the areas of addition create a more consistent design but feel that this roof form is not visible from the street and is a pre-existing condition that they inherited when they purchased their home. They want to acknowledge as well that at the meeting it was noted by the Planning Commission that it is not a "deal breaker" to choose to leave the existing roof flat.

3. Proposed detached garage: Our client has met with their adjacent neighbor at 1421 DeSoto Avenue, Rich Montana, to present the means by which the existing one-car detached garage will be re-built in its place. After discussions with the contractor, it has been proposed that the existing right side wall of the garage will remain untouched. This is the wall that butts up against the wall of the neighbor's left side garage wall. A new 2x6 fire-rated wall will be built up against the existing right wall of our client's garage. To accommodate stormwater drainage from the roof, this wall cavity will allow the integration of a roof drain that will collect stormwater into a minimum 3" dia ABS pipe leading out to the front face of the garage and into a downspout. The neighbor is in agreement with the planned approach for construction. During the course of construction, our client will continue to engage their neighbor to keep them informed and updated re: the process and progress of their garage's reconstruction. The neighbor is agreeable with this plan and stated additionally that if they find there is dryrot or other conditions affecting either or both of their garage walls that they would work together to repair the walls. They have also discussed how they'd like to repair the fence between their two properties and will continue to work together to complete this task.

4. Parking Variance Application: Please see attached revised Parking Variance Application.

Respectfully submitted,



Audrey Tse



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FEB 12 2020

CITY OF BURLINGAME
CDD-PLANNING DIV.

**CITY OF BURLINGAME
VARIANCE APPLICATION**

The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.54.020 a-d). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Please type or write neatly in ink. Refer to the back of this form for assistance with these questions.

a. Describe the exceptional or extraordinary circumstances or conditions applicable to your property which do not apply to other properties in this area.

The proposed project results in a 4-bedroom home. There is a pre-existing family room at the rear of the house, which has access at the end of a hallway. Because the 4th wall of this family room has <50% door opening, the family room is considered a bedroom, technically making this house a 5-bedroom home. It is difficult to address the opening to the family room without significant floor plan modifications that would involve removal of an existing bedroom and/or hall bath and laundry room. The family is musically talented and it is convenient for them that the family room is located at the rear of the house where family members and/or friends can practice their instruments and play music as a group, separately from other activities in the house. In fact, the upstairs music room is created as a secondary space for private music enjoyment separate from the larger family room. The family room (built by a prior owner) was built such that it is only 4' from the face of the existing detached one-car garage. The garage is rundown and needs to be reconstructed. The applicant is afraid to park in the garage in fear that the roof's framing will cave in. Due to the limited area at the rear of the property, there isn't enough space to allow for the construction of a new detached garage to meet the depth required (20') while providing access to the backyard between the house and the garage. The rear of the existing garage is built up against the rear property line. With the spatial challenges, it also is impossible to build a proper 20'x20' two-car garage and provide the required turnaround space and driveway access to utilize it properly. Therefore, the variance request is to allow for the reconstruction of the one-car garage in its present location.

b. Explain why the variance request is necessary for the preservation and enjoyment of a substantial property right and what unreasonable property loss or unnecessary hardship might result from the denial of the application.

The proposed house is intended to be a 4-bedroom home and thus have a one-car covered parking requirement. The two-car covered parking requirement for a 5-bedroom home (if the family room is considered a bedroom) cannot be built in the available space at the rear of the property. The required dimensions of a two-car garage (20'x20') does not fit into the rear yard as a detached structure or in the side yard as an attached structure. As noted above, it is also impossible to provide driveway and turnaround space for a second garage space. Additionally, the two-car garage would absorb more of an already small backyard that the family enjoys. The existing garage can be left untouched but structurally it is failing and requires reconstruction.

c. Explain why the proposed use at the proposed location will not be detrimental or

injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.

The proposed reconstruction of the existing structurally failing one-car detached garage in its present location and dimensions will only improve conditions on the property and its reconstruction with fire-rated walls will improve from its current state with its proximity to neighboring structures and homes. Its proposed new design and roof will also improve drainage on the garage's roof, will be more aesthetically-pleasing from the street perspective and will allow the homeowner to actually park in the garage, taking their car off the street and driveway. Any potential issues affecting the neighbor at 1421 DeSoto's garage, which is butted up against the right wall of the applicant's garage, have been addressed with an agreeable plan of action for reconstruction. The two parties will also continue to discuss and arrange for an agreeable plan of action regarding the garage's reconstruction during the construction process.

d. How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?

The proposed detached one-car garage reconstruction is designed to be compatible with the design of the proposed house addition/remodel. The mass and bulk remains as it does now with the addition of a gable roof, finishes and construction details to match that of the proposed design of the house.



PLANNING APPLICATION

COMMUNITY DEVELOPMENT DEPARTMENT—PLANNING DIVISION

501 PRIMROSE ROAD, 2ND FLOOR, BURLINGAME, CA 94010-3997

TEL: 650.558.7250 | FAX: 650.696.3790 | E-MAIL: PLANNINGDEPT@BURLINGAME.ORG

PROJECT INFORMATION

<u>1415 DESOTO AVE.</u>	<u>027-165-040</u>	<u>R1</u>
<u>PROJECT ADDRESS</u>	<u>ASSESSOR'S PARCEL # (APN)</u>	<u>ZONING</u>
<u>PROJECT DESCRIPTION</u>		
<u>SECOND STORY ADDITION, MASTER SUITE REMODEL</u>		

APPLICANT INFORMATION

<u>DAVID & LIZA LEVITT</u>	<u>[REDACTED]</u>
<u>PROPERTY OWNER NAME</u> <input type="checkbox"/> <u>APPLICANT?</u>	<u>ADDRESS</u>
<u>[REDACTED]</u>	<u>E-MAIL</u>
<u>PHONE</u>	<u>1534 PLAZA LN. #318 BURLINGAME 94010</u>
<u>INSITE DESIGN - AUDREY TSE</u>	<u>ADDRESS</u>
<u>ARCHITECT/DESIGNER</u> <input checked="" type="checkbox"/> <u>APPLICANT?</u>	<u>AUDREY@INSITE2DESIGN.COM</u>
<u>650-235-9566</u>	<u>E-MAIL</u>
<u>PHONE</u>	
<u>18191</u>	
<u>BURLINGAME BUSINESS LICENSE #</u>	

FOR PROJECT REFUNDS - Please provide an address to which all refund checks will be mailed to:

<u>DAVID & LIZA LEVITT</u>	<u>[REDACTED]</u>
<u>NAME</u>	<u>ADDRESS</u>

AFFIDAVIT OF OWNERSHIP

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION GIVEN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

<u>[REDACTED]</u>	<u>10/15/19</u>
<u>APPLICANT'S SIGNATURE (IF DIFFERENT FROM PROPERTY OWNER)</u>	<u>DATE</u>

I AM AWARE OF THE PROPOSED APPLICATION AND HEREBY AUTHORIZE THE ABOVE APPLICANT TO SUBMIT THIS APPLICATION TO THE PLANNING COMMISSION/DIVISION.

<u>[REDACTED]</u>	<u>10/15/19</u>
<u>PROPERTY OWNER'S SIGNATURE (SEE ATTACHED)</u>	<u>DATE</u>

AUTHORIZATION TO REPRODUCE PLANS

I HEREBY GRANT THE CITY OF BURLINGAME THE AUTHORITY TO REPRODUCE UPON REQUEST AND/OR POST PLANS SUBMITTED WITH THIS APPLICATION ON THE CITY'S WEBSITE AS PART OF THE PLANNING APPROVAL PROCESS AND WAIVE ANY CLAIMS AGAINST THE CITY ARISING OUT OF OR RELATED TO SUCH ACTION [REDACTED] (INITIALS OF ARCHITECT/DESIGNER)

STAFF USE ONLY

<u>APPLICATION TYPE</u>	
<input type="checkbox"/> ACCESSORY DWELLING UNIT (ADU)	<input type="checkbox"/> VARIANCE (VAR)
<input type="checkbox"/> CONDITIONAL USE PERMIT (CUP)	<input type="checkbox"/> WIRELESS
<input checked="" type="checkbox"/> DESIGN REVIEW (DSR)	<input type="checkbox"/> FENCE EXCEPTION
<input type="checkbox"/> HILLSIDE AREA CONSTRUCTION PERMIT	<input type="checkbox"/> OTHER: _____
<input type="checkbox"/> MINOR MODIFICATION	
<input type="checkbox"/> SPECIAL PERMIT (SP)	

DATE RECEIVED:



STAFF USE ONLY

RESOLUTION APPROVING CATEGORICAL EXEMPTION, DESIGN REVIEW, AND VARIANCES

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

WHEREAS, a Categorical Exemption has been prepared and application has been made for Design Review for second story addition to an existing single family dwelling and Parking Variances to reconstruct an existing detached garage at 1415 De Soto Avenue, Zoned R-1, Liza and David Levitt, property owners, APN: 027-165-040;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on February 24, 2020, at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing;

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

1. On the basis of the Initial Study and the documents submitted and reviewed, and comments received and addressed by this Commission, it is hereby found that there is no substantial evidence that the project set forth above will have a significant effect on the environment, and categorical exemption, per CEQA Section 15301 (e)(1) of the CEQA Guidelines, which states that additions to existing structures are exempt from environmental review, provided the addition will not result in an increase of more than 50% of the floor area of the structures before the addition, is hereby approved.
2. Said Design Review and Variances are approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Design Review and Variances are set forth in the staff report, minutes, and recording of said meeting.
3. It is further directed that a certified copy of this resolution be recorded in the official records of the County of San Mateo.

Chairperson

I, _____, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 24th day of February, 2020 by the following vote:

Secretary

EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Design Review, and Variances
1415 De Soto Avenue
Effective **March 5, 2020**

Page 1

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped February 12, 2020, sheets A1.0 through A4.3;
2. that any changes to building materials, exterior finishes, windows, architectural features, roof height or pitch, and amount or type of hardscape materials shall be subject to Planning Division or Planning Commission review (FYI or amendment to be determined by Planning staff);
3. that any changes to the size or envelope of the first or second floors, or garage, which would include adding or enlarging a dormer(s), shall require an amendment to this permit;
4. that any recycling containers, debris boxes or dumpsters for the construction project shall be placed upon the private property, if feasible, as determined by the Community Development Director;
5. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
6. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;
7. that all air ducts, plumbing vents, and flues shall be combined, where possible, to a single termination and installed on the portions of the roof not visible from the street; and that these venting details shall be included and approved in the construction plans before a Building permit is issued;
8. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit;
9. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at the time of building permit submittal, as amended by the City of Burlingame;

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

10. that prior to scheduling the framing inspection the applicant shall provide a certification by the project architect or residential designer, or another architect or residential design professional, that demonstrates that the project falls at or below the maximum approved floor

EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Design Review, and Variances

1415 De Soto Avenue

Effective **March 5, 2020**

area ratio for the property;

11. prior to scheduling the framing inspection the project architect or residential designer, or another architect or residential design professional, shall provide an architectural certification that the architectural details shown in the approved design which should be evident at framing, such as window locations and bays, are built as shown on the approved plans; architectural certification documenting framing compliance with approved design shall be submitted to the Building Division before the final framing inspection shall be scheduled;
12. that prior to 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.
13. that prior to final inspection, Planning Division staff will inspect and note compliance of the architectural details (trim materials, window type, etc.) to verify that the project has been built according to the approved Planning and Building plans.



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

Site: 1415 DE SOTO AVENUE

The City of Burlingame Planning Commission announces the following public hearing on **MONDAY, FEBRUARY 24, 2020 at 7:00 P.M.** in the City Hall Council Chambers, 501 Primrose Road, Burlingame, CA:

**PUBLIC HEARING
NOTICE**

Application for Design Review for a second story addition to an existing single family dwelling and Parking Variances to reconstruct an existing detached garage at
1415 DE SOTO AVENUE zoned R-1. APN 027.165.040

Mailed: February 14, 2020

(Please refer to other side)

City of Burlingame

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

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

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

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

Kevin Gardiner, AICP
Community Development Director

PUBLIC HEARING NOTICE

(Please refer to other side)

1415 De Soto Avenue
300' noticing
APN #: 027.165.040

