



CITY OF BURLINGAME PLANNING COMMISSION STAFF REPORT

Agenda Item: 7a	Hearing Date: May 26, 2026
Project No.	DSR25-0021 and MAP25-0002
Location	2, 12, and 16 Park Road APN: 029-225-170 / 029-225-180 / 029-225-190 / 029-225-200
Applicant	Jamie D'Alessandro, Windy Hill Property Ventures
Architect	Ian Murphy, BDE
Property Owners	John F. Crosby and Michael K. Howard
Staff	Catherine Keylon, Senior Planner
General Plan Designation	Downtown Specific Plan
Zoning	Baywater Mixed Use (BMU) and High Density Residential (R-4)
Lot Area	43,269 SF (0.99 acres)

PROJECT DESCRIPTION

Review of an application for Major Design Review, State Density Bonus, and Tentative Parcel Map to merge four parcels and construct a seven-story, 144 multi-unit residential building that includes 12 below market rate (BMR) units (6 very-low and 6 moderate income units) with two levels of above-grade parking containing 140 parking spaces in the Baywater Mixed Use (BMU) and High Density Residential (R-4) zoning district within the Downtown Specific Plan.

RECOMMENDATION

Staff recommends the Planning Commission:

1. Adopt a resolution approving the Major Design Review and State Density Bonus to construct a seven-story, 144 multi-unit residential building, as conditioned.
2. Adopt a resolution approving the Tentative Parcel Map, to merge the existing four parcels, as conditioned.

BACKGROUND

The project is located at the northeast corner of Park Road and Peninsula Avenue, at the El Camino Real junction. The applicant is proposing to combine four parcels (addressed 2, 12, and 16 Park Road) to create a single 0.99-acre parcel. An existing two-story funeral home (Crosby N. Gray & Co Funeral and Cremations) is located at 2 Park Road and an existing two-story commercial building (Burlingame Fitness) is currently located at 16 Park Road, both of which will be demolished to construct the proposed project.

The applicant submitted an SB 330 preliminary application for this project on May 8, 2025. Senate Bill 330 created a preliminary application process for housing development projects that is intended to streamline the approval process, while also freezing the development standards and fees in effect at the time of the preliminary application filing. The SB 330 preliminary application for this project was deemed complete on June 6, 2025. Under SB 330 the developer has 180 days from the submittal of the preliminary application to submit a full development application. On November 11, 2025 the applicant submitted their formal development application, which included exercising AB 130. AB 130 is a new State law that exempts qualifying projects from the environmental review process required by the California Environmental Quality

Act (CEQA). Utilizing AB 130 only requires notification to California Native American Tribes (tribal consultation) within a specific timeline set forth in the statute. In addition, AB 130 amends the Permit Streamlining Act (PSA) which requires local governments to comply with specific time limits for processing development applications. See “Environmental Review” section below for more information.

ANALYSIS

The applicant is seeking two separate actions from the Planning Commission:

(1) a decision on the requested Tentative Parcel Map to merge four parcels into one 0.99 acre parcel; and
(2) a decision on the requested Major Design Review and State Density Bonus application to construct a seven-story, 144 multi-unit residential building. This Staff Report discusses each action item in turn.

Tentative Parcel Map

The applicant has applied for a Tentative Parcel Map to combine four parcels addressed 2, 12, and 16 Park Road (APN: 029-225-190/ 029-225-200 / 029-225-170 / 029-225-180) to create a single 0.99 acre parcel. The new parcel would have a linear street frontage of 281.36’ where 50’-0” is the minimum required frontage. There are two existing curb cuts along Peninsula Avenue and three existing curb cuts on Park Road, these would be eliminated and replaced with a single curb cut on each frontage which would provide access to the enclosed at-grade parking on the ground floor.

The proposed Tentative Parcel Map has been reviewed based on the requirements of Burlingame Municipal Code (BMC) Chapter 26.24 (Subdivision of Less Than Five Lots) and the Subdivision Map Act. Pursuant to BMC Section 26.24.020, the Public Works Director has concluded that the proposed map meets all necessary requirements and has recommended approval (attached Public Works Memorandum).

Staff concluded that the proposed subdivision also satisfies the considerations listed in BMC Section 24.26.050 which are included in the Map Resolution attached to this staff report for action by the Planning Commission.

In addition, BMC Section 24.26.050 states:

“If the map meets all the requirements of the code and does not require the dedication of easements or the construction of any public work, a final map may be prepared without reference to the city council.”

The proposed map meets all the requirements of the code and does not require the dedication of easements. The Final Map will be reviewed by the Public Works Department and will be referred to City Council for approval.

Major Design Review and State Density Bonus

The Applicant also seeks approval of Major Design Review and State Density Bonus application to construct a seven-story, 144 multi-unit residential building that includes 12 below market rate (BMR) units (6 very-low and 6 moderate income units) with two levels of above-grade parking containing 140 parking spaces.

The proposed residential building would have a leasing office, lobby, mail room and parking on the ground floor. The second floor would have 10 residential units flanking the Park Road and Peninsula Avenue perimeter, with the remainder of the parking located at the interior of this floor. The five stories above would

contain the remainder of the residential units. A swimming pool and spa with common outdoor open space is proposed on the third floor along the Park Road frontage. This floor also would include a fitness center, with locker room, and a lounge. The seventh floor includes another indoor lounge area that is adjacent to an outdoor terrace located at the far southwest corner of the building.

The project would include 25 studio units (17.4%), 74 one-bedroom units (51.4% of units), 33 two-bedroom units (22.9%), and 12 three-bedroom units (8.3%) totaling 118,472 net square feet (209,070 gross square feet including the parking levels). Unit sizes range from 462 SF to 1,425 SF, with an average unit size of 823 SF where a maximum average unit size is 1,250 SF is permitted. Twelve units (10% of the base density) would be below market rate (BMR units) with six units (5%) for very-low income households with incomes that do not exceed 50% of the area median income (AMI) and the other six (5%) for moderate income households with incomes that do not exceed 120% of the AMI. The BMR units would include two studio units, six 1-bedroom units, three 2-bedroom units, and one 3-bedroom unit.

The overall height of the building would be 84'-2" to the top of the parapet (as measured from top of curb elevations along the Park Road frontage).

State Density Bonus (Code Section 25.33.010 and Ca.Gov Code 65915)

The applicant proposes a total of 144 residential units with the use of State Density Bonus Law (Ca. Gov Code 65915) which allows a 20% density bonus with the inclusion of 5% very-low income BMR Units.

The BMU zoning district does not have a dwelling-units-per-acre standard for density. Pursuant to California Government Code Section 65915(o)(6), when a project site does not have a "units per acre" base density limit established by the General Plan or zoning, then the base density is derived by determining the maximum number of units that could be accommodated within a hypothetical housing development that complies with all applicable development standards for that zoning district. The average unit size for the hypothetical development must be at least as large as the average unit size for the development being proposed. A base density study was submitted with the application materials and was evaluated by staff. This study assumes a base density of 120 du/ac, allowing for 144 units with the added density bonus.

State Density Bonus Law provides the opportunity for an applicant to apply for a waiver to required zoning development standards that will have the effect of physically precluding the construction of a development at the densities or with the concessions or incentives permitted under the statute. The developer must demonstrate that the development standards that are requested to be waived or modified will have the effect of physically precluding the construction of a development meeting the densities or with the concessions or incentives permitted under the criteria of the statute. Per California government code 65915(e)(1) a city may refuse a request to waive or reduce development standards only if it makes written findings that the waiver or reduction would have a specific adverse impact on the public health or safety. There is no limit on the number of waivers that may be requested.

The applicant is requesting State Density Bonus Waivers for the proposed project for the following development standards:

1. **Height:** (84'-2" proposed where 55' is the maximum height with approval of a Special Permits)
2. **Front Setback:** (1'-0" front setback proposed (3rd-7th floors) where 10'-0" is the minimum front setback required)

3. **Rear Setback:** (5'-11"-17'-10" rear setback proposed where 20'-0"-26'-0" is the minimum rear setback required)
4. **Lot Coverage:** (87.0% lot coverage proposed where 75% is the maximum lot coverage allowed)

Below Market Rate Affordable Housing

BMC Chapter 25.45 (Residential Impact Fee) requires a fee to be provided to offset the demand for affordable housing or an alternative to be selected from BMC Section 25.45.070. The project proposes to include 5% very low income and 5% moderate affordable units which meets and even exceeds the requirements of BMC Section 25.4.070(B)(1) that if rental multi-unit projects provide 10% moderate income affordable units for a period of 55 years onsite, then the impacts of residential development on the need for affordable housing shall be deemed mitigated. Therefore, with the BMR units provided onsite, the applicant is not subject to Residential Impact Fees.

The applicant has met this requirement with twelve units (10% of the base density) offered as BMR units with six units (5%) for very-low income households with incomes that do not exceed 50% of the area median income (AMI) and the other six (5%) for moderate income households with incomes that do not exceed 120% of the AMI. This proposal exceeds the 10% moderate requirement by offering six of the BMR units at a lower affordability bracket than moderate income.

Design Review

The project site is located in the Baywater Mixed Use (BMU) and High Density Residential (R-4) zoning districts within the Downtown Specific Plan area. The 2 Park Road (corner) parcel contains a 1,000 SF appendage that projects beyond the property line and is located within boundaries of the R-4 zoning district; with most of the parcel located within the BMU zoning district. Because there are no structures proposed on the portion of the lot located in the R-4 district, the BMU development standards were applied to this project for multi-unit dwellings and are shown in Table 1 below.

Table 1: Project Information

SETBACKS	Proposed	Required
Front Park Road:	5'-0" (first floor) 5'-0" (second floor) 1'-0" (third floor) 1'-0" (fourth floor) 1'-0" (to fifth floor) 1'-0" (to sixth floor) 1'-0" (seventh floor)	10'-0"
Left (interior) Side:	5'-6" (first floor) 5'-10" (second floor) 5'-10" (third floor) 5'-10" (fourth floor)	-----

SETBACKS	Proposed	Required
	5'-10" (to fifth floor) 5'-10" (to sixth floor) 5'-10" (seventh floor)	
Right (exterior) Side abutting Peninsula Avenue:	3'-10" (first floor) 4'-5" (second floor) 1'-7" (third floor) 1'-7" (fourth floor) 1'-7" (fifth floor) 1'-7" (sixth floor) 2'-5" (seventh floor)	-----
Rear (opposite Park Road) Edge Condition Required when abutting R-3/R-4)	5'-11" (first floor) 5'-11" (second floor) 5'-11" (third floor) 17'-0" (fourth floor) 17'-0" (fifth floor) 17'-0" (sixth floor) 17'-10" (seventh floor)	20'-0" (first floor) + C.S. 25.10.055 (C) 21'-0" (second floor) 22'-0" (third floor) 23'-0" (fourth floor) 24'-0" (fifth floor) 25'-0" (sixth floor) 26'-0" (seventh floor)
Lot Coverage:	37,720 SF 87.0%	75% x 43,269 SF = 32,451 SF maximum allowed
Open Space:	COMMON: 9,809 SF PRIVATE: <u>6,086 SF</u> TOTAL = 15,895 SF COMBINED	100 SF per unit = 14,400 SF may be private, common or both Common: min. 15 ft. in any direction Private: min. 5' x 8'
Main Building Height to top of parapet	82'-6"	35 feet maximum / 55 feet with Special Permit
Height to top of mechanical equipment/stair penthouse	87'-6"	14 max. feet over height of building C.S. 25.78.050
Front setback landscaping:	850 SF 30.1%	282 SF 10% of front setback
Number of Spaces:	140 spaces *	173 required spaces 1 space for studio or one-bedroom units (25 units x 1 sp = 25 spaces) (74 x 1 sp = 74 spaces)

SETBACKS	Proposed	Required
	84 -level 1 56 - level 2	1.5 spaces for two-bedroom units (33 x 1.5 sp = 49.5 spaces) 2 spaces for three-bedroom units (12 x 2 sp = 24 spaces)
Size of Spaces:	133 spaces 7 ADA	8.5' x 17' (standard, EV, and EVSE) 9' x 18' (Car and vanpool accessible)
Vertical Clearance @ Driveway:	9'-0"	7'-0"
Back-Up Aisle:	24'-0"	24'-0"
Driveways:	2 @ 10'-0" (Peninsula Ave entrance) 1 @ 20'-0" (Park Rd entrance)	One – 18'-0" or Two – 12'-0"
Driveway slope:	17.9%	15%
Guest Parking and/or drop off/ delivery areas:	none	None required

In addition, the proposed project is subject to Chapter 5 of the Downtown Specific Plan (Design & Character). Section 5.3 (pages 5-17 through 5-21) provides design guidelines specifically for residential projects within the Downtown Specific Plan area. The project is in general compliance with these standards as follows:

5.3 Design Standards for Residential Areas

- **5.3.1 Architectural Diversity:** The building has been designed with quality materials and a thoughtful design to last into the future, with architectural diversity that includes a human scale.
- **Sections 5.3.2 Entrances & 5.3.2.2 Ground Level Treatment:** The entrance to the residences is located at the corner of the parcel and is clearly defined with the metal canopies above. The ground floor provides visual interest along both Park Road and Peninsula Avenue, with the ground floor uses such as the lobby, leasing office and mail room oriented towards the street sides.
- **5.3.2.3 Site Access:** The project is consistent with this standard by minimizing curb cuts with two curb cuts, one on each street frontage, which is the maximum recommended for projects requiring 30 parking spaces or more. This is a reduction down from the five existing curb cuts that service

the existing sites. In addition, there is on-site bicycle parking for residents, as well as short term bicycle parking for guests.

- 5.3.3.2 On-Site Structured Parking: The above grade parking complies with this design standard with the ground level parking having perforated decorative metal screening that is woven into the architectural detail of the ground floor elevations.

5.3.4 Architectural Design Consistency

- 5.3.4.1 Façade Design: The building has been designed with a façade that includes details that provide human scale and elements to breakup the massing such as metal canopies and inset doorways on the street level and projecting balconies, building offsets and setbacks on the upper levels to create articulation. In addition, as recommended in this design standard, this building design incorporates a corner entrance.
- 5.3.4.2 Windows: The windows will be black or dark bronzed finished vinyl windows that have been well-proportioned to provide relief, detail and variation on all of the facades.
- 5.3.4.3 Materials: The materials proposed for the exterior of the building include cement plaster, a mix of brick veneer and wood like siding materials, dark finish vinyl windows (upper floors), perforated metal screening at the garage, with metal canopies over the lobby and entrances, and glass with metal framed balcony guardrails. Please refer to the materials details on sheets AP3.00 through AP3.03.
- 5.3.5.2 Open Space: Open space is encouraged to effectively articulate building forms, promote access to light and fresh air; the proposed project accomplishes this by providing approximately 6,000 square feet of private open space for the 144-units. In addition, the project includes 9,800 square feet of common open space in the form of outdoor recreation areas including the third-floor deck space where there is a swimming pool and spa. This total also includes indoor lounge spaces and a fitness center. The outdoor common open spaces includes landscaping and high-quality materials to enhance the usability of these areas as stated in this design standard.

Summary of Proposed Exterior Materials

- **Windows:** ground floor- dark bronze finished aluminum storefront window system; residential units - dark framed vinyl windows
- **Doors:** glass with metal frame
- **Siding:** combination of cement plaster, wood-like siding, brick veneer
- **Roof:** flat roof with tar/gravel surrounded by parapet
- **Other:** perforated metal screening at ground floor garage; metal canopy; glass & metal railings

Major Design Review Criteria

Major Design Review is required for all new development and is subject to the design standards and objective design criteria pursuant to Code Section 25.14.080. The criteria for design review in mixed-use districts is detailed in Code Section 25.68.060 (E) and requires the proposed project to be reviewed by the Planning Commission for the following considerations:

1. For mixed-use developments having two-thirds or more of the total gross floor area dedicated to residential use, compliance with the objective design standards adopted by ordinance or resolution;
2. Support of the pattern of diverse architectural styles in the area in which the project is located;
3. Respect and promotion of pedestrian activity in commercial and mixed-use zoning districts by placement of buildings to maximize commercial use of the street frontage and by locating off-street parking areas so that they do not dominate street frontages;
4. For commercial and industrial developments on visually prominent and gateway sites, whether the design fits the site and is compatible with the surrounding development;
5. Compatibility of the architecture with the mass, bulk, scale, and existing materials of surrounding development and appropriate transitions to adjacent lower-intensity development and uses;
6. Architectural design consistency by using a single architectural style on the site that is consistent among primary elements of the structure and restores or retains existing or significant original architectural features; and
7. Provision of site features such as fencing, landscaping, and pedestrian circulation that complement on-site development and enhance the aesthetic character of district in which the development is located.

Staff does not have any suggested changes for the Planning Commission to consider.

Off-Street Parking

Parking requirements are based on the number of bedrooms proposed per unit. In the BMU District, the minimum parking requirement is one space for each studio unit or one-bedroom unit, 1.5 spaces for each two-bedroom unit, and 2 spaces for each three-bedroom unit. Based on the proposed unit makeup for this 144 unit project, the total number of required parking spaces for the proposed project is 173 off-street parking spaces. A service/delivery space is not required for apartment buildings, and no guest parking is required for properties located within the Downtown Specific Plan area (no designated delivery or guest parking is provided with this project).

The project includes a total of 84 at-grade parking spaces and 56 parking spaces on level two, for a total of 140 off-street parking spaces. The applicant has submitted a request to exercise Assembly Bill (AB) 2097 to provide fewer than the required number of parking spaces. AB 2097 is a State law that became effective January 1, 2023 and prohibits public agencies from imposing minimum automobile parking requirements on residential, commercial, and industrial projects located within a half-mile of public transit. It does not apply to hotels, motels, bed and breakfast inns, or other transient lodgings. Since the subject property is located within half-mile of the Burlingame Caltrain Station, the project qualifies for AB 2097 and is allowed to include reduced parking without an application for a Parking Variance or to request reduced parking as a State Density Bonus waiver or concession.

Urban Reforestation and Tree Protection Ordinance

The tree disposition plan, sheet L5.01, indicates that there is one protected size tree on-site to be removed and one protected size off-site tree (City street tree) to be removed as part of this project. A tree removal

permit will be required from the Parks Division for the removal of these trees. There are two neighboring private protected trees and one City street tree that are required to have tree protection measures implemented during construction. This has been included as a Condition of Approval.

Per Burlingame Municipal Code Section 11.06, for multi-unit developments one landscape tree is required per 2,000 square feet of lot coverage and one landscape tree is required per 2,000 square feet of paving. The reforestation requirement can be met through on-site tree planting or payment of in-lieu fees of \$1,500 per tree not planted, or a combination of the two. Based on the proposed plans the reforestation requirements for this project is 21 trees. Trees planted in containers or raised beds, or trees in the public right-of-way, do not count towards meeting the reforestation requirement. Given that there are no new, in ground trees proposed with this project an in-lieu fee of \$1,500 per tree not planted (\$31,500) is due at Building Permit issuance; this has been included as a Condition of Approval.

The project includes undergrounding the existing overhead utilities that are located along Park Road. Given the utility relocation, the project would include the planting of nine 24-inch box sized Magnolia grandiflora street trees along Park Road; there is currently one existing Magnolia Grandiflora street tree along Park Road that would remain. Three 24-inch box sized Magnolia grandiflora street trees would be planted along the Peninsula Avenue frontage. At the rear (opposite Park Road) there would be eighteen 24-inch box Sweet Bay trees planted.

Environmental Review

Tentative Parcel Map: The Tentative Parcel Map is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15 – Minor Land Divisions) of the CEQA Guidelines, which states the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. The proposed Tentative Parcel Map meets these requirements, and therefore, is Categorically Exempt.

Entitlement: The proposed project is Statutorily Exempt pursuant to the California Environmental Quality Act (CEQA), pursuant to Assembly Bill (AB) 130, effective June 30, 2025. AB 130 provides a new CEQA exemption for qualifying urban infill housing projects. This new exemption provides broader eligibility and fewer barriers for qualifying projects than the commonly used “Class 32” infill exemption. If a project qualifies for AB 130 lead agencies are required to comply with processing requirements related to tribal consultations that specially apply to projects that qualify for this exemption. Unlike Class 32 exemptions, which would still require specific technical studies accompany the exemption, AB 130 requires only the tribal consultation under very specific timelines detailed in the statute. California Native American tribes consulting on AB 130 projects may request specific conditions of approval be included in project approvals.

Staff have completed the attached AB 130 checklist which provides the eligibility requirements per Public Resources Code 21080.66 for a project to qualify for exemption from environmental review (CEQA) utilizing AB 130. Based on the projects qualifications, Staff determined that the proposal meets all of the required qualifications. During the review period there were two tribes that requested consultation and the applicant team and City staff provided consultation. Conditions of approval have been included that resulted from those consultations (see attached Entitlement Resolution).

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Attachments:

Area Map
AB 130 checklist
Public Works Department Memorandum
Public Comments
Entitlement Resolution
Map Resolution
Proposed Plans dated April 24, 2026

- With Tentative Parcel Map
- With Renderings