CITY OF BURLINGAME

PLANNING COMMISSION RESOLUTION 2025-__
APPROVING MAJOR DESIGN REVIEW, HILLSIDE AREA CONSTRUCTION PERMIT AND SPECIAL PERMITS TO CONSTRUCT A NEW SINGLE-UNIT DWELLING AT 1385 HILLSIDE CIRCLE (LOT 3)
PROJECT NO. DSR24-0025

WHEREAS, an application has been made by Chu Design Associates, Inc. on behalf of Property Owners, Sherman Chiu and Jen Ngo, for a Tentative and Final Parcel Map for a Lot Subdivision of one lot into three newly created lots (the "Subdivision"), as well as for Major Design Review, Hillside Area Construction Permit and Special Permits for declining height envelope and attached garage to construct one new, two-story single-unit dwelling on each of the three newly created lots in the R-1 (Low Density Residential) zoning district APN: 027-282-050 (collectively with the Subdivision, the "Project"); and

WHEREAS, on November 10, 2025, the Planning Commission of the City of Burlingame approved the construction of a single-unit dwelling and attached garage on Lot 1 (DSR24-0023) and Lot 2 (DSR24-0024) and continued Lot 3 (DSR24-0025) to a future meeting; and

WHEREAS, on November 10, 2025, the Planning Commission of the City of Burlingame reviewed the proposed Subdivision pursuant to Section 26.24.050 along with the Public Works Director's recommendation and adopted a Resolution recommending approval of the Tentative and Final Parcel Map to City Council; and

WHEREAS, on December 1, 2025, the City Council of the City of Burlingame held a duly noticed public hearing at which time it reviewed and considered the staff report and all other written materials and approved the Tentative and Final Parcel Map to subdivide the existing lot into three lots at 1385 Hillside Circle (APN: 027-282-050); and

WHEREAS, on December 8, 2025, the Planning Commission of the City of Burlingame held a duly noticed public hearing to consider the construction of a single-unit dwelling and attached garage on Lot 3 (DSR24-0025) at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing; and

WHEREAS, on December 8, 2025, the Planning Commission of the City of Burlingame reviewed and considered a Categorical Exemption under Section 15303(a) (Class 3, New Construction or Conversion of Small Structures) for the Project; and

NOW, THEREFORE, the Planning Commission of the City of Burlingame does here by resolve, find, determine and order as follows:

SECTION 1: The Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which states construction of a limited number of new, small facilities or structures including one single family residence, or a second dwelling unit in a residential zone is exempt from environmental review. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption, and this Project includes one of three such single-family residences. The Categorical Exemption Qualification memorandum prepared by David J. Powers for this Project contains substantial evidence supporting this exemption determination and is incorporated herein by reference.

SECTION 2: City of Burlingame Municipal Code (BMC) authorizes the Planning Commission to grant Major Design Review, Hillside Area Construction Permit and Special Permits for declining height envelope and attached garage upon making certain findings. The Planning Commission makes the following findings pursuant to BMC section 26.68.060.H and BMC section 25.78.020:

MAJOR DESIGN REVIEW FINDINGS (BMC SECTION 25.68.060.H.)

1. *The project is consistent with the General Plan and is in compliance with all applicable provisions of Title 25, all applicable design guidelines, all other City ordinances and regulations, and the standards established in BMC Section 25.68.060.C.*

   The proposed project, that includes construction of one new single-unit dwelling with an attached garage that will be one of three dwellings that will be replacing an existing single-unit dwelling and two detached garages on the site, is consistent with the General Plan and is in compliance with all applicable provisions of Title 25 in that the subject property is zoned R-1 and has a General Plan land use designation of Low Density Residential. The architectural style and massing of the new dwelling is consistent with the design guidelines in that it is complimentary to the overall context of the neighborhood with the use of quality materials and architectural elements, such as a sloped standing seam metal roof at the front of the dwelling, wood garage doors, a solid wood front entryway door with side lights, aluminum clad wood windows, and horizontal wood and stucco siding. The mass, bulk and scale have been carefully designed to respect the topography of the property with minimal disruption to the rear slope.

2. *The project will be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development.*

   The project will be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development as shown on the proposed plans. The R-1 development standards require a minimum frontage of 40 feet (on a curved street) and a minimum lot size of 10,000 SF. There are no exceptions to minimum code requirements requested for the project with the lot exceeding the minimum required 10,000 square foot lot size (13,226 square feet proposed) and the minimum required 40-foot street frontage (89.3 proposed).

3. *The project is designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.*

   The project is designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property because the project meets or exceeds setback, lot coverage, floor area, building height, open space, and parking requirements. The project will be required to comply with all the standards of the California Building and Fire Codes in effect at time of building permit issuance.

HILLSIDE AREA CONSTRUCTION PERMIT FINDINGS (BMC SECTION 25.70.040)

1. *The project is consistent with the purpose of the Hillside Overlay Zone.*

   The proposed project is consistent with the purpose of the Hillside Overlay Zone and does not have a substantial impact on adjacent properties or on the character of the immediate neighborhood in that 1) the proposed project is located on a downward sloping through-lot (from Hillside Circle to Easton Drive), with construction of a new dwelling following the topography of the site, and 2) the building is designed as one story in height at the front of the

lot and steps down at the rear of the lot concentrating the bulk of the structure at the rear facing Easton Drive. Therefore the project does not obstruct existing distant views to San Francisco Bay, San Francisco Airport, and Mills Canyon from primary indoor living areas.

2. *The project complies with the development standards found in Section 25.20.040.B. through I.*

The proposed project complies with the development standards found in Section 25.20.040.B. through I., as shown on the proposed plans, in that 1) the new single-unit dwelling is designed and located in a manner that preserves existing distant views with the new structure designed to step down following the downward slope of the lot, 2) that the structure is one story in height at the front of the lot (15'-0" above average top of curb), 3) because the dwelling is designed to step down with the slope of the lot there is minimal grading, excavation and large retaining walls are not required, and 4) in addition to several existing trees to remain, 5 new trees are proposed on the property to provide screening.

3. *The placement of the proposed construction does not have a substantial impact on adjacent properties or on the character of the immediate neighborhood.*

The proposed construction will not have a substantial impact on adjacent properties or on the character of the immediate neighborhood in that 1) the new single-unit dwelling has been designed to meet all required setback, lot coverage, floor area, and building height limits, and 2) the structure respects the existing lot slope and requires minimal grading with the bulk of structure stepping downhill following the slope of the lot.

SPECIAL PERMIT FINDINGS (BMC SECTION 25.78.020)

Required Findings. Any decision to approve a special permit application in the R-1 zoning district pursuant to this chapter shall be supported by written findings addressing the criteria set forth in this chapter. In making such determination, the following findings shall be made:

1. *The blend of mass, scale, and dominant structural characteristics of the new construction or addition are consistent with the existing structure's design and with the well-defined character of the street and neighborhood;*

The blend of mass, scale, and dominant structural characteristics of the new single-unit dwelling with attached garage is well-defined, consisting of a contemporary architectural style to add to the character of the surrounding neighborhood.

The downward slope of the lot (approximately 20 to 30% from front to rear) affects the measurement of the declining height envelope along the sides of the structure in that it is taken from the average of the lot slope at each side, causing the structure along the right and left sides to extend beyond the declining height envelope, and that the architectural style that would result from a code complying project would not be compatible or true to the massing and style of the dwelling if the top floor was offset in order to comply with declining height envelope.

2. *The variety of roof line, façade, exterior finish materials, and elevations of the proposed new structure or addition are consistent with the existing structure, street, and neighborhood;*

The variety of the roof lines, façade, exterior finish materials, and elevations of the proposed single-unit dwelling with attached garage is consistent with the variety of styles and materials found in the overall neighborhood. The proposed contemporary design has been carefully

detailed with materials and elements that are true to the architectural style and massing that respects the lot topography.

3. *The proposed project is consistent with the residential design guidelines adopted by the City; and*

   The proposed single-unit dwelling, including the encroachments into the declining height envelope and attached garage, are designed to be integrated with the character of the neighborhood with the use of quality materials and architectural elements. The mass and bulk of the proposed dwelling is complimentary to the context of the other dwellings on the block and is consistent with the residential design guidelines.

4. *Removal of any trees located within the footprint of any new structure or addition is necessary and is consistent with the City's reforestation requirements, and that the mitigation for the removal that is proposed is consistent with established City policies and practices.*

   Based on the proposed floor area, four landscape trees are required on-site. The existing Coast Live Oak tree in the rear yard that is being protected counts toward meeting this requirement and there are five new 24-inch box sized trees proposed to be planted as part of the development on Lot 3. Therefore, the project complies with the Urban Reforestation and Tree Protection Ordinance requirements.

SECTION 3: Based on the entire record of proceedings including staff reports and all public hearing testimony, the Planning Commission of the City of Burlingame **HEREBY APPROVES** DSR24-0025 subject to the following conditions:

CONDITIONS OF APPROVAL

Community Development Department

1. The project shall comply with the project description, project plans date stamped November 17, 2025, sheets A.1 through AC.2, L1 through L8, C-0 through C-5 and all Conditions of Approval associated with this permit. Any deviations from the approved project description, project plans, or Conditions of Approval shall require prior approval and amendment of this permit.

2. The approval of this Major Design Review, Hillside Area Construction Permit and Special Permits (DSR24-0025) is not valid until the effective date of the associated Tentative and Final Map to subdivide the parcel into three lots. If the Tentative and Final Map is not approved by the City Council, this permit becomes null and void.

3. 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.

4. Demolition for 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.

5. 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 hearing bod; which shall remain a part of all sets of approved plans throughout the construction process.

6. Prior to final inspection or the date the certificate of occupancy is issued, whichever occurs first, the project applicant shall pay the Public Facilities Impact Fees.

7. 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. 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. The project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at time of building permit submittal, as amended by the City of Burlingame.

10. During any construction period ground disturbance, the applicant shall ensure that the project contractor implement the following measures to control dust:

    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
    - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
    - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
    - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
    - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
    - All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
    - All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
    - Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a six- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
    - Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

11. The project applicant shall implement a feasible plan to reduce DPM emissions by 30 percent as follows:

    a) All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 Interim emission standards for PM (PM_{10} and $PM_{2.5}$), if feasible.

b) Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction DPM emissions by 30 percent or greater. Elements of the plan could include a combination of some of the following measures:
   - Installation of electric power lines during early construction phases to avoid use of diesel portable equipment,
   - Use of electrically-powered equipment,
   - Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered,
   - Change in construction build-out plans to lengthen phases, and
   - Implementation of different building techniques that result in less diesel equipment usage.

12. The project shall implement the following measures to reduce construction noise at nearby residences:

- Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures:
  - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;
  - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
  - Locate stationary equipment to minimize noise impacts on the community; and
  - Minimize backing movements of equipment.
- Use quiet construction equipment whenever possible.
- Impact equipment (e.g., jack hammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment.
- Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible.
- Prohibit unnecessary idling of internal combustion engines.
- In compliance with Chapter 18.07.110 of the Municipal Code, construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, Saturdays between 9:00 a.m. and 6:00 p.m., and Sundays and Holidays between 10:00 a.m. and 6:00 p.m., unless permission is granted with another planning approval.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

- Avoid the use of circular saws, miter/chop saws, and radial arm saws near the adjoining noise-sensitive receptors. Where feasible, shield saws with a solid screen with material having a minimum surface density of two pounds per square foot (e.g., such as ¾" plywood).
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- During interior construction, locate noise-generating equipment within the building to break the line-of-sight to the adjoining receptors.
- The project sponsor shall designate a "disturbance coordinator" for construction activities. The coordinator would be responsible for responding to any local complaints regarding construction noise and vibration. The coordinator would determine the cause of the noise or vibration complaint and would implement reasonable measures to correct the problem.
- The construction contractor shall send advance notice to neighborhood residents within 50 feet of the project site regarding the construction schedule and including the telephone number for the disturbance coordinator at the construction site;

13. The project applicant shall ensure the contractor implements the following measures during all phases of demolition and construction to reduce vibration levels to less than 0.3 in/sec PPV at adjacent buildings.
    - Place operating equipment on the construction site as far as possible from vibration-sensitive receptors.
    - Use smaller vibratory rolling equipment, for example the Caterpillar model CP433E vibratory compactor, within 20 feet of the adjacent buildings to reduce vibration levels to 0.3 in/sec PPV or less.
    - Select demolition methods not involving impact tools.
    - Avoid dropping heavy equipment, such as a clam shovel drop, within 20 feet of the adjacent residential building west of the site.
    - Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

14. If suspected prehistoric or historic resources are encountered during excavation and/or grading of the site, construction personnel shall be instructed to immediately suspend all activity within a 50-foot radius and the City shall be notified. A licensed archaeologist shall be retained in order to 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and 2) submit a resource mitigation and monitoring reporting program with appropriate recommendations regarding the disposition of such finds prior to resumption of construction activities. A report of findings documenting any data recovery shall be submitted to the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials. The City shall implement the recommendations of the qualified archaeologist.

15. In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The City and the San Mateo County Coroner's office shall be notified. If the remains are determined to be Native American,

the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

16. During construction, the applicant shall provide fencing (with a fabric screen or mesh) around the project site to ensure that all construction equipment, materials and debris is kept on site.

17. If construction is done during the wet season (October 1 through April 30), that prior to October 1 the developer shall implement a winterization program to minimize the potential for erosion and polluted runoff by inspecting, maintaining and cleaning all soil erosion and sediment control prior to, during, and immediately after each storm even; stabilizing disturbed soils throughout temporary or permanent seeding, mulching matting, or tarping; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels and other chemicals.

18. The project shall comply with the state-mandated water conservation program, and a complete Irrigation Water Management and Conservation Plan together with complete landscape and irrigation plans shall be provided at the time of building permit application.

19. Prior to scheduling the framing inspection the applicant shall provide a certification by the project architect or residential designer, or another architect or residential design professional, that demonstrates that the project falls at or below the maximum approved floor area ratio for the property.

20. Prior to scheduling the foundation inspection, a licensed surveyor shall locate the property corners, set the building footprint and certify the first-floor elevation of the new structure(s) based on the elevation at the top of the form boards per the approved plans; this survey shall be accepted by the City Engineer.

21. 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.

22. Prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof ridge and provide certification of that height to the Building Division.

23. 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.

Recreation and Parks Department

24. All tree protection measures as detailed in the February 16, 2024 Kielty Arborist Services LLC report shall be installed prior to commencement of any demolition and construction activities and shall remain in place as determined by said report and the City Arborist.

25. A Protected Tree Removal Permit shall be required from the City of Burlingame Parks Division to remove any existing protected size trees on the subject property and that the project shall

comply with the Urban Reforestation and Tree Protection Ordinance adopted by the City of Burlingame and enforced by the Parks Department; complete landscape and irrigation plans shall be submitted at the time of building permit application; the street trees shall be protected during construction as required by the City Arborist.

Public Works Department

26. The Parcel Map for the subdivision must be recorded with the County of San Mateo prior to building permit issuance.

27. This project shall require payment of sewer and water capacity fees based on the fee schedule effective at the time of the building permit issuance.

28. Based on the scope of work, this is a “Type II” project that requires a Stormwater Construction Pollution Prevention Permi This permit is required prior to issuance of a building permit. An initial field inspection is required prior to the start of any construction (on private property or in the public right-of-way).

29. Any work in the City right-of-way, such as placement of debris bin in street, construction parking, work in sidewalk area, public easements, and utility easements, is required to obtain an Encroachment Permit prior to start of construction. Portable restrooms are not allowed to be placed in the City right-of-way.

30. All water lines connections to City water mains for services or fire line protection are to be installed per City standard procedures and material specifications. Contact the City Water Department for connection fees. If required, all fire services and services 2 inches and over shall be installed by the builder. All underground fire service connections shall be submitted as separate Underground Fire Service permit for review and approval.

31. Sewer Backwater Protection Certification is required for the installation of any new sewer fixture per Ordinance No. 1710. The Sewer Backwater Protection Certificate is required prior to the issuance of building permit.

32. An Erosion Control Plan shall be submitted; this plan shall include, but not limited to, delineation of area of work, show primary and secondary erosion control measures, protection of creek or storm drain inlets, perimeter controls, protections for construction access points, and sediment control measures.

33. A property survey by a licensed surveyor, signed and stamped by a California licensed surveyor, is required. The survey shall show how the property lines were determined and that the property corners were set with surveyors license numbers on durable monuments. This survey shall be included in the building permit review plans. All corners shall to be maintained during construction or reinstalled before the building final. The property corners need to be protected and maintained throughout construction and will be checked by City Inspector. If any construction does occur over property, the contractor will need to make all corrections to the satisfaction of the City Inspector. Any disturbed property corners will be replaced by the project prior to final inspection.

34. An Encroachment Permit shall be required for the sidewalk, curb, gutter, sewer lateral and sidewalk underdrain.

35. A Special Encroachment Permit shall be required for the operation/maintenance of the silva cells and appurtenant storm drain pipes that are proposed on Easton Drive. The permit shall be recorded with the County of San Mateo.

36. The applicant shall prepare a Construction Staging and Traffic Control Plan for the duration of construction for review and acceptance by the City Engineer prior to the issuance of a building permit. The Construction Staging and Traffic Control Plan shall include construction equipment parking, construction employee parking, timing and duration of various phases of construction and construction operations hours. The Construction Staging and Traffic Control Plan shall address public safety and shall ensure that worker's vehicles and construction equipment shall not be parked in public parking areas with exceptions for construction parking along the street frontages of the project site.

37. The project applicant and its construction contractor(s) shall develop a Construction Management Plan for review and approval by the City of Burlingame. The Construction Management Plan must include at least the following items and requirements to reduce, to the maximum extent feasible, traffic and parking congestion during construction:

    a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes;
    b. Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, circulation and safety, and specifically to minimize impacts to the greatest extent possible on streets in the project area;
    c. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures would occur;
    d. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant; and
    e. Designation of a readily available contact person for construction activities who would be responsible for responding to any local complaints regarding traffic or parking. This coordinator would determine the cause of the complaint and, where necessary, would implement reasonable measures to correct the problem.

SECTION 4: The Major Design Review, Hillside Area Construction Permit, and Special Permits shall be subject to revocation if the applicant fails to comply with the conditions listed herein at any time. If, at any time, the Community Development Department Director or Planning Commission determine that there has been or may be a violation of the findings or conditions of this approval, or of the Zoning Regulations, a public hearing may be held before the Planning Commission to review this approval pursuant to Zoning Regulation Section 25.88.050. At said hearing, the Planning Commission may add conditions, or recommend enforcement actions, or revoke the approval entirely, as necessary to ensure compliance with the Zoning Regulations, and to provide for the health, safety, and general welfare of the community.

PASSED AND ADOPTED this 8th day of December 2025.

_____
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 8th day of December 2025 by the following vote:

_____
Secretary

Exhibit A - Project Plans dated November 17, 2025