

**CITY OF BURLINGAME**

**PLANNING COMMISSION RESOLUTION 2025-\_\_\_\_  
APPROVING MAJOR DESIGN REVIEW AND CONDOMINIUM PERMIT AND RECOMMENDING  
APPROVAL OF A TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES FOR  
1115 PALOMA AVENUE  
PROJECT NO. DSR22-0050**

**WHEREAS**, an application has been made by Simon Kwan, on behalf of Property Owner, Jeffrey Chan, for Major Design Review, Condominium Permit, and Tentative Parcel Map for a new three-story, three-unit residential condominium building in the R-3 (Medium-High Density Residential) zoning district, APN: 026-211-100; and

**WHEREAS**, on September 8, 2025, the Planning Commission 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 testimony presented at said hearing; and

**WHEREAS**, on September 8, 2025, the Planning Commission of the City of Burlingame reviewed and considered a Categorical Exemption under Section 15303(b) (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(b) (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which states that construction and location of limited numbers of new, small facilities or structures including a duplex or similar multi-family residential structure totaling no more than four dwelling units is exempt from environmental review. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.

**SECTION 2:** City of Burlingame Municipal Code (BMC) authorizes the Planning Commission to grant Major Design Review and Condominium Permit upon making certain findings. The Planning Commission finds the following:

**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.D.*

The proposed three-unit residential condominium 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-3 and has a General Plan land use designation of Medium-High Density residential (21-50 dwelling units per acre), which allows up to six units on this lot. The proposed project has been designed in accordance with the R-3 zoning district development standards. The architectural style and massing of the three-unit dwelling is complimentary to the context of the other residential structures on the block and will be integrated into the neighborhood with the use of quality materials and architectural elements, including contemporary aluminum windows, wood entry doors, smooth fiber cement lap siding and wall panels, and wood balcony railings. The mass, bulk and scale have been carefully designed to respect the privacy and interface with the adjacent multi-unit residential buildings with appropriate window placement and setbacks that meet or exceed minimum requirements.

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 an existing parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development as shown on the proposed plans; there are no exceptions to minimum code requirements requested for the project.

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, 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.

### **CONDOMINIUM PERMIT FINDINGS (BMC SECTION 25.30.060)**

No condominium project or portion thereof shall be approved or conditionally approved in whole or in part unless the planning commission, or city council upon appeal or review, has reviewed the following on the basis of their effect on:

1. *Sound community planning; the economic, ecological, social and aesthetic qualities of the community; and on public health, safety and general welfare.*

The three-unit residential condominium project is scaled to be compatible with existing multi-story, multi-unit buildings in the vicinity and features appropriate landscaping with usable private and common open space that exceeds the minimum 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.

2. *The overall impact on schools, parks, utilities, neighborhoods, streets, traffic, parking and other community facilities and resources.*

The project site is located in an urban area and is surrounded by multi-unit residential development which is served by existing utility and public services. The existing two-unit residential building will be replaced with a new three-unit residential building on the same lot and therefore can be adequately served by required utility and public services since the proposed project is only contributing one net new unit on the site. With incorporation of the proposed conditions of approval, the project would not result in any significant effects relating to schools, parks, traffic, noise, air quality, or water quality.

3. *Conformity with the general plan and density permitted by zoning regulations.*

The proposed three-unit residential condominium 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-3 and has a General Plan land use designation of Medium-High Density residential (21-50 dwelling units per acre), which allows up to six units on this lot. The proposed project has been designed in accordance with the R-3 zoning district development standards.

**SECTION 3:** The Planning Commission of the City of Burlingame after conducting the public hearing **HEREBY APPROVES** DSR22-0050 subject to the following conditions and recommends approval of the Tentative Parcel Map for Condominium Purposes:

**CONDITIONS OF APPROVAL**

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped August 22, 2025, sheets A00 through A71, Architectural Topographic Survey, C1 through C4, T1 through T3, L1 through L4, and Materials and Renderings;
2. 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;
3. that any changes to the size or envelope of the building, which would include expanding the footprint or floor area of the structure, replacing or relocating windows or changing the roof height or pitch, shall be subject to Planning Commission or Planning staff review (to be determined by Planning staff);
4. that prior to final inspection or the date the certificate of occupancy is issued, whichever occurs first, the project applicant shall pay the Public Impact Fees;
5. that 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;
6. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
7. that 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 plan shall include construction equipment parking, construction employee parking, timing and duration of various phases of construction and construction operations hours; the staging 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;
8. that the project applicant and its construction contractor(s) shall develop a construction management plan for review and approval by the City of Burlingame. The 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;
9. that 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;
10. that trash enclosures and dumpster areas shall be covered and protected from roof and surface drainage and that if water cannot be diverted from these areas, a self-contained drainage system shall be provided that discharges to an interceptor;
11. that this 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;
12. that all site catch basins and drainage inlets flowing to the bay shall be stenciled. All catch basins shall be protected during construction to prevent debris from entering;
13. that project approvals shall be conditioned upon installation of an emergency generator to power the sump pump system; and the sump pump shall be redundant in all mechanical and electrical aspects (i.e., dual pumps, controls, level sensors, etc.). Emergency generators shall be housed so that they meet the City's noise requirement;
14. that 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;
15. 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;
16. 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;
17. that the applicant shall comply with the City of Burlingame Storm Water Management and Discharge Control Ordinance;

18. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, 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:**

19. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
20. that prior to scheduling the framing inspection, the project architect, engineer or other licensed professional shall provide architectural certification that the architectural details such as window locations and bays are built as shown on the approved plans; if there is no licensed professional involved in the project, the property owner or contractor shall provide the certification under penalty of perjury. Certifications shall be submitted to the Building Division;
21. that prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof ridge and provide certification of that height to the Building Division; and
22. 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

**SECTION 4:** The Major Design Review and Condominium Permit approval 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 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 September 2025.

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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 September 2025 by the following vote:

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Secretary

Exhibits:

Exhibit A - Project Plans dated August 22, 2025

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