

CITY OF BURLINGAME

PLANNING COMMISSION RESOLUTION 2026-____ APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT AND VARIANCE FOR A RELIGIOUS FACILITY USE LOCATED AT 1722 GILBRETH ROAD PROJECT NO. AMEND26-0001

WHEREAS, on May 23, 2016, the Planning Commission approved a Conditional Use Permit to allow a religious assembly facility use, Yaseen Foundation ("2016 CUP"), at 1722 Gilbreth Road, an existing 9,890 square foot building with 62 parking spaces on a 0.85 acre site in the I-I (Innovation Industrial) zoning district., APN: 024-403-420 ("the Property"); and

WHEREAS, an application has been made by Esam Hussain, on behalf of Property Owner, North American Islamic Trust, for an Amendment to the 2016 CUP and a Variance for reduced landscaping to create an outdoor play area with a play structure and sports court for an existing religious assembly facility within the Property; and

WHEREAS, on January 12, 2026, 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 January 12, 2026, the Planning Commission of the City of Burlingame reviewed and considered a Categorical Exemption under Section 15301 (Class 1(a) - Existing Facilities) 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 15301 (Class 1(a) – Existing Facilities) of the CEQA Guidelines, which interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances are exempt from environmental review.

SECTION 2: City of Burlingame Municipal Code (BMC) authorizes the Planning Commission to grant an Amendment to a Conditional Use Permit and Variance upon making certain findings. The Planning Commission finds the following:

CONDITIONAL USE PERMIT FINDINGS (BMC SECTION 25.66.060)

1. *The proposed use is consistent with the General Plan and any applicable specific plan.*

The expansion of an existing religious assembly facility use with an outdoor playground is consistent with the General Plan in that the Innovation Industrial land use designation in the General Plan allows for assembly uses, and because the enclosed outdoor playground is located at the front of the site adjacent to Highway 101 and will be used intermittently, it will not be not disruptive to existing light industrial, logistics, and commercial businesses in the vicinity.

2. *The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

Expansion of the existing religious assembly facility, which in this case consists of an outdoor playground area to be utilized by the existing facility, is allowed with an Amendment to the

Conditional Use Permit and Variance in the I-I (Innovation Industrial) zoning district and complies with all other applicable provisions of the Zoning Code and the Municipal Code.

3. *The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity.*

The design, location, size, and operating characteristics of the outdoor playground area will be compatible with the existing and future land uses in the vicinity in that 1) the religious assembly facility is an existing approved use and the proposed expansion of an outdoor playground is for limited and intermittent activities, 2) the largest number of visitors are on site are outside regular business hours when most of the surrounding light industrial, logistics, and commercial businesses are closed, and 3) the proposed playground does not result in any changes to the approved number of visitors to the site or to the anticipate number of vehicles visiting the site.

4. *The site is physically suitable in terms of:*

- a. *Its design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;*
- b. *Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;*
- c. *Public protection services (e.g., fire protection, police protection, etc.); and*
- d. *The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).*

The site already accommodates the existing religious assembly facility. There is no change to the existing building footprint or the approved parking for the facility and the proposed outdoor playground does not intensify the existing uses on the site. Gilbreth Road is an existing roadway that currently accommodates emergency vehicle access, and public protection services and utilities can accommodate the new outdoor playground since these services are currently provided and there is no intensification of use that would have an impact on these services.

5. *The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.*

The religious assembly facility will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located in that there is no expansion to the envelope of the building and that all tenant improvements will be required to comply with applicable requirements of the California Building Code and Uniform Fire Code. The religious assembly facility will continue to operate under the approved conditional use permit and there have been no reported complaints or violations of this permit that would indicate the facility operations are constitute a nuisance to uses in the vicinity.

VARIANCE FINDINGS (BMC SECTION 25.84.030)

1. *There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same zoning district.*

There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same zoning district in that the approved religious assembly facility requires flexibility in on-site parking that is not typical for other uses in the same zoning district. Valet parking is required for special events to accommodate vehicles in excess of the standard 62 parking spaces on site and these occasional increases in parking demand prevent the removal of paving to accommodate landscaping along driveway areas on either side of the site or in the rear parking lot of the existing building.

2. *The granting of the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.*

The granting of the Variance for reduced landscaping is necessary for the preservation and enjoyment of a substantial property right of the applicant in that the outdoor playground is for children of parents attending the existing religious assembly facility. Granting the Variance for reduced landscaping would prevent unnecessary hardship by allowing a needed amenity for the existing religious assembly facility.

In this instance, the Yaseen Foundation is the sole tenant of the subject site and the site can accommodate a playground in the front yard, which is twice the required 10-foot setback minimum in I-I zoning district. Moreover, landscaping cannot be included in the enclosed play area to off-set the displaced landscaping because the intense physical use of these play areas would prevent the growth of landscaping, including lawn areas.

3. *The granting of the application will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, and general welfare or convenience; and*

Granting the Variance for reduced landscaping will not be detrimental or injurious to property improvements in the vicinity in that the applicant will continue to maintain the entire site in good repair, including the playground, fencing, and trees in the right-of-way at the front of the building. Granting of the Variance for reduced landscaping will not be detrimental to the safety or general welfare of the surrounding properties as the playground is entirely contained to the site and enclosed by an 8 foot tall fence that meets Building and Fire Code exiting and safety requirements.

4. *That the use of the property will be compatible with the aesthetics, mass, bulk, and character of existing and potential uses of properties in the general vicinity.*

The use of the property will be compatible with the aesthetics, mass, bulk, and character of existing and potential uses of properties in the general vicinity in that the property currently contains an existing religious assembly facility and the proposed outdoor playground and associated fencing is consistent with many of the light-industrial uses in the vicinity that have properties enclosed by eight foot tall fences. The existing street trees in the right-of-way in front of the playground fencing will screen and soften the outdoor playground area and fencing.

SECTION 3: The Planning Commission of the City of Burlingame after conducting the public hearing **HEREBY APPROVES** AMEND26-0001 subject to the following conditions:

CONDITIONS OF APPROVAL

1. The Applicant shall comply with the project description provided in the Yaseen Activity Calendar dated August 22, 2015, the Parking Addendum dated April 21, 2016, the project plans date stamped November 12, 2025, sheets A.0 through A5.0, and all Conditions of Approval associated with this permit. Any deviations from the approved project description, project plans, or Conditions of Approval shall require an Amendment.
2. This approval, AMEND26-0001, shall supersede the Conditional Use Permit issued by the Planning Commission on May 23, 2016 for this site.
3. Applicant shall be required to submit for all required building permits for the proposed and previously installed improvements on the site, including the outdoor play area. A building permit application shall be submitted within three (3) months of the effective date of the approved entitlements. The plans shall include the removal of two existing palm trees and one existing olive tree in the public right-of-way along the Rollins Road frontage, and that the five existing Maple trees in the right-of-way shall remain.
4. Prior to final inspection for the building permit, a Parks Division final inspection shall be performed to confirm that all plantings in the right-of-way comply with the Parks Division standards.
5. All activities associated with the religious assembly facility use shall occur wholly within the building, with the exception of the use of the outdoor play area in conjunction with the permitted events and activities within the building, as shown in the Yaseen Activity Calendar dated August 22, 2015. The outdoor play area cannot be used to hold events and activities for the religious assembly facility.
6. The regular hours of operation for the religious assembly facility shall be limited to 4:00 a.m. to 12:00 a.m. daily, and that the operations shall follow the schedule shown in Yaseen Activity Calendar dated August 22, 2015; and that at no time shall the number of Special Events exceed 48 times in a calendar year and at no time shall the number of persons on site at one time exceed 292 persons.
7. The religious assembly facility use shall comply with Burlingame Municipal Code Chapter 10.40 (Radio Interference, Loudspeakers, Etc.). Any amplified noise or music shall be kept at a level so to not disturb the peace and quiet of the neighborhood and adjacent owners/businesses. All exterior doors shall remain closed to reduce impacts of any noise associated with the religious assembly facility use on adjacent owners/businesses.
8. The religious assembly facility shall follow the valet parking plan with 4 valets and detailed in the Parking Management Plan dated April 21, 2016, for those events which are anticipated to exceed the number of striped on-site parking spaces (62 spaces), including the regular Friday meetings; that the number of the special events that are anticipated to exceed the number of striped on-site parking spaces (labeled in the supporting materials as G and L events) shall not exceed 48 times in a calendar year without the applicant first applying for an amendment to the Conditional Use Permit and the Parking Management Plan.

9. The total number of vehicles generated in an hour by the religious assembly facility uses shall not exceed the projected maximum of 93 valet parking spaces; if the number of vehicles for any events at the religious assembly facility will exceed 93 vehicles, the applicant must first apply for an Amendment to the Conditional Use Permit.
10. All activities associated with the religious assembly facility shall not reduce the on-site parking supply required for the respective activities or interfere with traffic circulation.
11. A separate Sign Permit shall be required for any exterior signage associated with the religious assembly facility. Banners on the exterior of the building are prohibited.
12. The project shall comply with all applicable requirements of the California Building Code and Uniform Fire Code in effect at the time of building permit submittal, as amended by the City of Burlingame.

SECTION 4: The Amendment to Conditional Use Permit and Variance 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 determines that there has been or may be a violation of the findings or conditions of this approval, or of the Zoning Code, a public hearing may be held before the Planning Commission to review this approval pursuant to Burlingame Municipal Code 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 12th day of January, 2026.

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 12th day of January, 2026, by the following vote:

Secretary

Exhibits:

Exhibit A - Project Plans dated November 12, 2025
Exhibit B - Parking Management Plan dated April 21, 2016
Exhibit C - Activity Calendar dated August 22, 2015