

**CITY OF BURLINGAME**

**PLANNING COMMISSION RESOLUTION 2025-\_\_\_\_  
APPROVING MAJOR DESIGN REVIEW AND SPECIAL PERMITS FOR  
121 PEPPER AVENUE  
PROJECT NO. DSR25-0004**

**WHEREAS**, an application has been made by John Phillips on behalf of Property Owners, Colin Mistele and Katherine Rafanelli, for Major Design Review and Special Permits for plate height and attached garage for a new, single-story, single-unit dwelling and attached garage in the R-1 (Low Density Residential) zoning district, APN: 028-274-210; and

**WHEREAS**, a Historic Resource Evaluation was prepared for this property, dated May 28, 2024. The results of the evaluation concluded that 121 Pepper Avenue does not appear to be individually eligible for listing in the National or California Registers under any criteria; and

**WHEREAS**, on August 11, 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 August 11, 2025, the Planning Commission of the City of Burlingame reviewed and considered a Categorical Exemption under Section 15303 (a) 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 15303 (a) of the CEQA Guidelines, which states that construction of a limited number of new, small facilities or structures, including one single-unit residence, or a second dwelling unit in a residential zone, is exempt from environmental review. In urbanized areas, this exemption may be applied to the construction or conversion of up to three (3) single-unit residences as part of a project.

**SECTION 2:** City of Burlingame Municipal Code (BMC) authorizes the Planning Commission to grant Major Design Review and Special Permits 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 (C).*

The proposed new single-unit dwelling is consistent with the General Plan designation of Low Density Residential and is in compliance with all applicable provisions of Title 25; the new dwelling is consistent with the design guidelines in that the mass and bulk of the proposed structure is in scale with the lot and in relation to neighboring properties in that it is single-story and contains hip roofs, that the project proposes high quality materials such as a standing seam metal roof, aluminum clad wood windows with simulated true divided lites with dividers and spacers between the glass panes, naturally stained wood garage doors, and front entry trellis consisting of a stained wood horizontal cross beam, steel trellis and stained wood columns; and that the attached garage, car court area with two driveway entrances, and a substantial number of landscape trees on the site make the project both consistent and compatible with the character of the neighborhood.

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.

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 complies with lot coverage, floor area ratio, building height, declining height envelope, and parking requirements. The single-unit dwelling and attached garage are designed with front, side and rear setbacks that exceed the minimum requirements. Construction of the single-unit dwelling will be required to comply with California Building and Uniform Fire Codes.

#### **SPECIAL PERMIT FINDING FOR PLATE HEIGHTS AND ATTACHED GARAGE (BMC SECTION 25.78.020.A.(3.))**

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 and attached garage are consistent with the well-defined character of the street and neighborhood in that there is a nearly equal mix of existing attached and detached garages in the neighborhood and that the proposed pattern of a car court area with two curb cuts is found on several other similarly sized properties in the neighborhood. The proposed plate heights are consistent with the structures design in that they provide a variety of visual exterior massing, including a 10-foot plate at the front entry trellis and 12-foot plates at the remainder of the structure. The tallest 15-foot plate for the single-story structure is centered at the middle of the dwelling where it has the greatest setbacks from neighboring properties and from the street.

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 roof line, façade, exterior finish materials, and elevations of the new dwelling are consistent with the existing street and neighborhood in that the project's design places the highest ridge for dwelling at the center of the structure. The variety of roof lines, including hipped and flat roofs, and the various plate heights provide architectural interest and articulation to the design and are consistent with the size of the property. The proposed exterior finish materials, such as vertical wood siding, aluminum clad wood windows with simulated true divided lites, and large covered front porch entry are consistent with both existing traditional and modern neighborhood structures.

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

The proposed project is consistent with the residential design guidelines adopted by the City in that the garage and parking pattern in the neighborhood includes attached garages and car court areas with two curb cuts. The attached garage meets residential design guideline setback

minimums and is integrated into the mass and bulk of the house with the use of the trellis element across the front façade and entry courtyard.

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.*

A tree removal permit for the removal of one protected tree will be obtained from the Parks and Recreation Department. A total of 31 new landscape trees will be planted at the subject property and with the retention of five existing trees on site, the project exceeds the minimum landscaping requirements as defined in the Urban Reforestation and Tree Protection Ordinance.

**SECTION 3:** The Planning Commission of the City of Burlingame after conducting the public hearing **HEREBY APPROVES** DSR25-0004 subject to the following conditions:

### **CONDITIONS OF APPROVAL**

1. that the project shall be built as shown on the plans submitted to the Planning Division and date stamped July 24, 2024, sheets A001 through A401, and L100;
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.
3. that any changes to the size or envelope of the basement, 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 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;
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 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 area ratio for the property;
11. that 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;
12. that 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;
13. 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
14. 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 Special Permits 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 11<sup>th</sup> day of August 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 11<sup>th</sup> day of August, 2025 by the following vote:

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Secretary

Exhibits:

Exhibit A - Project Plans dated July 24, 2025