



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** PLANNING AND BUILDING

**File #:** 18-308

Board Meeting Date: 4/24/2018

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Steve Monowitz, Community Development Director

**Subject:** Consideration of (1) a General Plan Map Amendment changing the land use designation of a portion of one parcel from Multi-Family Residential to Commercial Mixed-Use and (2) a Zoning Map Amendment to rezone same from R-2/S-50 to CMU-1 to allow construction of a 20-space parking lot. The project is located at 3295 El Camino Real in the unincorporated North Fair Oaks area of San Mateo County.

### **RECOMMENDATION:**

Recommendation to:

- A) Approve the proposed General Plan Land Use Map and Zoning Map Amendment, and certify the Mitigated Negative Declaration by adopting the required findings and conditions of approval; and
- B) Adopt an ordinance amending Chapter 2 of Division VI of the San Mateo County Ordinance Code (Zoning Annex) to revise the Zoning Maps, Appendix A, to change the zoning of a portion of one parcel from "R-2/S-50" to "CMU-1," in the unincorporated North Fair Oaks area; and
- C) Adopt a resolution amending the San Mateo County General Plan Land Use Map to change the land use designation of a portion of one parcel from "Multi-Family Residential" to "Commercial Mixed-Use," in the unincorporated North Fair Oaks area.

### **BACKGROUND:**

The applicant requests an amendment to the Zoning and General Plan maps to rezone the rear portion of a developed 22,696 sq. ft. split-zoned parcel located at 3295 El Camino Real. The rezone will change the current zoning of R-2/S-50 (Multi-Family Residential) to CMU-1 (Commercial Mixed-Use), consistent with the front portion of the parcel, and to allow for construction of a parking lot to serve the existing office building in an area on the parcel that had been used historically for off-street parking. Parking is not an allowed use under R-2/S-50; the applicant proposes the rezone to remedy this non-conformity.

The map amendments are proposed to allow construction of a 20-space parking lot and 10-space bicycle parking area to serve the existing office building. Minimum site grading is proposed for parking lot construction. Two significant trees are proposed for removal with remaining vegetation to be incorporated into the parking lot design.

Planning Commission Hearings: The project proposal was initially heard on May 24, 2017, where the Planning Commission did not support the request for recommendation of approval while a larger rezoning effort was being conducted by staff. Following the adoption of the CMU-1, CMU-2, and NMU-ECR Zoning Districts by the Board on November 21, 2018, the Planning Commission heard the project again on February 28, 2018 and recommended approval. Refer to Section A.6, below, for further discussion.

Major Development Pre-Application Meeting: A public meeting was held on January 28, 2016 at the North Fair Oaks Community Council Meeting (NFOCC). The item was continued to the August 25, 2016 NFOCC meeting where the Council recommended denial of the project out of concern for a loss of a residentially-zoned parcel. Refer to Section A.7., below, for further discussion.

Report Prepared By: Bryan R. Albini, Project Planner

Applicant: Ken Brogno

Owner: Darrck Pearl Investments, LLC

Location: 3295 El Camino Real, Redwood City

APNs: 060-281-210 (undeveloped portion) and 060-281-220 (developed portion); parcels merged and constitute one legal parcel.

Size: 22,696 sq. ft. (10,700 sq. ft. to be rezoned)

Existing Zoning: R-2/S-50 (Two-Family Residential/5,000 sq. ft. lot minimum); CMU-1 (Commercial Mixed-Use-1 District/5,000 sq. ft. lot minimum).

General Plan Designation: Multi-Family Residential (24-60 dwelling units/acre); Commercial Mixed-Use (80 dwelling units/acre).

Sphere-of-Influence: Redwood City

Existing Land Use: Undeveloped (historical parking lot) and commercial office.

Water Supply: Existing California Water Service Company service.

Sewage Disposal: Existing Fair Oaks Sewer District service.

Flood Zone: Flood Zone X (area of minimal flooding) pursuant to FEMA Community Panel 06081C0304E, effective October 16, 2012.

Environmental Evaluation: Initial Study and Mitigated Negative Declaration issued with a public review period between August 15, 2016 and September 6, 2016. No comments were received.

Setting: The undeveloped portion of the parcel has a relatively flat topography with five significant trees within the property. This portion of the property has historically been used as a parking lot serving the adjacent commercial building. The surrounding parcels within the immediate vicinity of the subject parcel are zoned CMU-1 (Commercial Mixed-Use-1 District) and R-2/S-50 (Multi-Family Residential), while the CMU-1 zone fronts El Camino Real along the subject parcel's southwestern boundary. The majority of the parcels along Amherst Avenue are within the R-2/S-50 zoning district. The subject parcel abuts commercial and multiple-family residential development. Refer to Attachment D for the surrounding zoning districts.

#### Chronology:

<u>Date</u>	<u>Action</u>
November 9, 2015	- Applicant submits application to the Planning Department.
January 28, 2016	- Planning staff facilitates a neighborhood public workshop, pursuant to Section 6415 of the San Mateo County Zoning Regulations, requiring such action for major applications to allow neighbors and other interested parties to provide the applicant relevant input prior to final project submittal. This workshop was held in conjunction with the NFOCC public meeting.
July 28, 2016	- Subsequent NFOCC meeting. Applicant revises the parking lot design based on feedback from staff and the public present at the initial NFOCC meeting. The Council requested a continuance to allow for additional neighborhood noticing for further community feedback.
August 16, 2016	- An Initial Study and a Mitigated Negative Declaration were prepared and circulated as required by CEQA. No comments were received.
August 25, 2016	- The NFOCC, again, considers the project, and votes to not recommend support of the project proposal as submitted to the Planning Commission.
September 10, 2016	- Applicant meeting with concerned neighbors about project proposal and tree removal. Staff was not present at this meeting.
March 31, 2017	- Notice of Merger filed with County Recorder's Office for APNs 060-281-210 and 060-281-220 (Document # 2017-028747).
May 24, 2017	- Planning Commission Meeting. The Planning Commission voted to not recommend support of the project proposal, as submitted, to the Board of Supervisors.
June 14, 2017	- Staff submits a memo to the Planning Commission summarizing their concerns. The draft memo is approved by the Planning Commission.

- September 2017                                -        Applicant meets with the Community Development Director and requests to bring the item back before the Planning Commission once the Rezoning effort along El Camino Real and 5th Avenue has been adopted by the Board of Supervisors.
- November 21, 2017                           -        The Board of Supervisors approves the adoption of the CMU-1, CMU-2, and NMU-ECR Zoning Districts along El Camino and 5th Avenue in Unincorporated North Fair Oaks. A portion of the subject parcel falls within this rezoned area formerly designated C-2/S-1. The undeveloped portion of the parcel proposed for new parking was not included in the rezoning area and remains zoned R-2/S-50.
- December 21, 2017                           -        Effective date of adopted zoning ordinance, replacing C-1/S-1 (Neighborhood Business District), C-2/S-1 (General Commercial District), and P (Parking District) with CMU-1 (Commercial Mixed-Use-1 District), CMU-2 (Commercial Mixed-Use-2 District), and NMU-ECR District (Neighborhood Mixed-Use District, El Camino Real-5th Avenue, North Fair Oaks).
- February 28, 2018                           -        Planning Commission Meeting. The Planning Commission voted unanimously to recommend approval of the project proposal to the Board of Supervisors.
- April 24, 2018                                -        Board of Supervisors Meeting.

## **DISCUSSION:**

A.

### **KEY ISSUES**

#### **1. Prior Hearings**

As referenced in the chronology above, the item was heard before the Planning Commission on May 24, 2017. In their review of the project, and the reasoning behind their decision not to recommend approval to the Board of Supervisors, the Planning Commission expressed concerns about rezoning the undeveloped residentially-zoned portion of the parcel while the larger rezoning of the commercial zones along El Camino Real and 5th Avenue was still being conducted. Specifically, the commission was concerned whether the project proposal would be compatible with the adopted development and performance standards of the new Commercial Mixed-Use Zoning District. The applicant, in consultation with staff, decided to put the project on hold and wait until the adoption of the new Commercial Mixed-Use Zoning Regulations before returning to the Planning Commission.

On November 21, 2017, the Board of Supervisors unanimously voted to adopt three new zoning districts allowing for commercial mixed-use (CMU-1, CMU-2, and NMU-ECR) within the rezoning area along El Camino Real and 5th Avenue, to implement the North Fair Oaks Community Plan. The new regulations took effect December 21, 2017 and have the effect of rezoning the commercially-zoned portion of the parcel to CMU-1; the residentially-zoned portion was unaffected by the Board's action in November.

As explained below, the proposal, to change the land use designation and zoning to

match the existing zoning along El Camino to construct a 20-vehicle parking lot, is consistent with the development and performance standards of the CMU-1 District.

## 2. Compliance with the General Plan

The project complies with the applicable General Plan policies as discussed below.

### a. Visual Quality

Policy 4.15 (*Appearance of New Development*) regulates development to promote and enhance good design, site relationships, and other aesthetic considerations.

The project is located within a residentially- and commercially-developed block. Residential development abuts the northeast property line with the neighborhood consisting of both one- and two-story residences. Commercial development to the east consists of a large supermarket, gas station, and laundromat businesses ranging from one- and two-story heights. Mature vegetation is found along the residential street (Amherst) and along the El Camino Real corridor. The overall design of the parking lot will retain and incorporate the three existing oak trees, utilize vegetated areas as part of the landscape drainage design, and incorporate pervious materials to reduce runoff. As conditioned, the project is required to comply with the San Mateo Countywide Water Pollution Prevention Program which identifies low impact development design measures to minimize impervious surface areas and incorporate landscaping and pervious materials as a way to reduce and treat parking lot runoff. A 6-ft. tall wood fence with matching sliding gates is proposed along the southeast property line on Amherst Avenue for security. Additionally, a cinder block wall is proposed along the property boundary shared with an adjacent residence as required by zoning. The proposed fencing and wall are to provide screening to the residential properties by minimizing the visual impacts of the parking lot and reducing light and glare from cars onto adjacent residential properties. The parking lot has been designed to incorporate a trash enclosure in the center of the lot to reduce potential noise and odor impacts to the residential neighbors. As conditioned and proposed, the project conforms to this policy.

Policy 4.29 (*Trees and Vegetation*) identifies the preservation of trees and natural vegetation except where removal is required for approved development or safety, to replace vegetation and trees removed during construction wherever possible using native plant materials or vegetation compatible with the surrounding vegetation, climate, soil, ecological characteristics of the region and acceptable to the California Department of Forestry, and to provide special protection to large and native trees.

The arborist report has identified three large native oaks and one imported redwood within the property (a fourth large native oak was removed under the approved tree removal permit PLN 2016-00414 due to trunk decay and resulting instability). Of the remaining trees, the smaller Valley oak (14.8-inch dbh) and the redwood (28- to 30-inch dbh) are proposed for removal and were found to both have poor form.

The redwood tree has been topped in the past and is suppressed with a poor crotch. The smaller Valley oak has included bark, very poor crotch, and a long

swollen seam extending to the ground. The arborist has identified this oak as a hazard. The parking lot design will require the removal of these two trees but will retain the larger Valley and Coast live oaks. Tree protection measures, including hand digging, irrigation, and fencing are recommended conditions of approval based on the arborist report to ensure that construction will not adversely impact the health of the remaining trees in conformance with this policy.

b. Urban Land Use

Policy 8.16 (*Commercial Land Use Compatibility*) ensures that commercial development is compatible with the adjacent land uses and supports a mixture of commercial activity with appropriate service oriented land uses. Policy 8.31 (*Mixed Use*) encourages development which contains a combination of land uses (mixed-use development), particularly commercial and residential development along major transportation corridors.

Parcels adjacent to the subject property are designated either Commercial Mixed-Use or Multi-Family Residential. Both land use designations provide for medium to high density residential uses in addition to the commercial uses allowed under the Commercial Mixed-Use designation (e.g., regionally-oriented commercial and institutional uses). Re-designation of the Multi-Family Residential portion of the property to Commercial Mixed-Use provides an opportunity for greater overall land utilization of the existing commercial use given the proposed development of the vacant portion of the property with a vehicle and bicycle parking lot to serve the existing commercial use. Re-designation of the parcel also serves to encourage future mixed-use development along the El Camino transportation corridor in accordance with Policy 8.31 should this parcel be redeveloped in the future.

Policy 8.18 (*Commercial Buffers*) requires buffering of commercial land uses when needed to protect contiguous residential uses, while maintaining connectivity and walkability, and Policy 8.39 (*Height, Bulk, Setbacks*) regulates the height, bulk, and setback requirements in zoning districts in order to: (1) ensure that the size and scale of development are compatible with parcel size, (2) provide sufficient light and air in and around structures, (3) ensure that development of permitted densities is feasible, and (4) ensure public health and safety. Parcel orientation places the front of the parcel along El Camino with the opposite parcel line designated as the rear (adjacent to the existing R-2/S-50 parcel along Amherst Avenue). The property line facing Amherst Avenue is the corner side and opposite that line is the interior side property boundary. Given this orientation, both commercial and residential buildings, should they be proposed in the future, are required to maintain at least a 15-ft. rear setback on structures up to 40 ft. in height, and a 27-ft. rear setback for portions of the building above 40 ft., from the residentially-zoned property located on Amherst Avenue, thereby, providing a buffer to the adjacent residential land use. This parcel orientation also provides the greatest maximum setback from the neighboring residential use. Additionally, height, floor area ratio, and lot coverage maximums will ensure a compatible structure size and scale in relation to the subject parcel size as well as providing sufficient light and air in and around any buildings. Although the commercial development remains unchanged with the current development proposal (parking lot), re-designation of the vacant portion from residential to commercial will achieve a consistent density of development

throughout the parcel. Building permit requirements and development standards will ensure the public's health and safety. Zoning development standards are discussed further in Section A.4., below.

Policy 8.40 (*Parking Requirements*) regulates minimum on-site parking requirements and parking development standards in order to: (1) accommodate the parking needs of the development, (2) provide convenient and safe access, (3) prevent congestion of public streets, (4) establish orderly development patterns, and (5) discourage overreliance on auto travel to the exclusion of other travel modes.

Development on the proposed rezoned parcel, if approved, will provide a formal parking lot in an area that had been historically used as unpermitted parking. Although the existing commercial building is undergoing tenant improvements (BLD 2015-02351) to change the retail use to a commercial office use, no available parking is present or can be accommodated on the parcel without the rezoning. The proposed parking lot is compliant with the required design standards including minimum stall and drive aisle dimensions, an orderly and identified ingress and egress, and the inclusion of bicycle parking in conformance with this policy.

c. Transportation

Policy 12.45 (*Bicycle Storage Facilities*) promotes the provision of bicycle lockers and other storage facilities at transit stops, schools, shopping areas, and other activity centers. The project complies with the above policy by proposing 10 secure bicycle parking spaces for tenant and employee use within the fenced-in parking area. The entrance and exit access gates will be closed and locked during the night to prevent vandalism and loitering.

3. Conformance with the North Fair Oaks Community Plan

The North Fair Oaks (NFO) Community Plan land use map designates the residential portion of the property as Multi-Family Residential and the commercial portion as Commercial Mixed-Use. The project is consistent with the NFO Community Plan as discussed below:

a. Land Use Designations (Chapter 2)

Goal 2.1 of the Land Use Designations chapter encourages mixed-use development along major commercial corridors to support a vibrant, urban community that integrates a range of amenities in close proximity to surrounding residential neighborhoods. Re-designation of the residential portion of the property will allow for the construction of the parking lot to serve the existing commercial use and to provide a greater opportunity to accommodate future mixed-use development to the land use densities identified in the Community Plan, further discussed in Section A.3, below:

Goal 2.2 promotes revitalization through redevelopment of underutilized and vacant land in North Fair Oaks to create jobs and housing and support community and economic development. The parking lot development, should the project be

approved, will serve the existing commercial building which is currently undergoing renovations changing the previous retail use to office space. Changing the land use designation to Commercial Mixed-Use will allow for the vehicle and bicycle parking lot development thereby supporting the economic development of the commercial use.

Policy 1F discusses identifying key parcels with development potential and potential barriers to such development. It encourages addressing these barriers through creative solutions (rezoning, parcel consolidation, and others) to attract private developers and to encourage higher intensity infill development. The partial rezoning of the property would allow greater utilization of the existing office building on a major transportation corridor and create the conditions to construct the necessary off-street parking that would otherwise be required under the Commercial Mixed-Use land use designation.

b. Circulation and Parking (Chapter 3)

Policy 3B discusses providing safe, secure bicycle parking in commercial areas, along designated bike routes and transit corridors, and at parks and schools. Although El Camino Real currently does not have bicycle lanes, the route is mapped in the Community Plan for proposed on-street lanes (Class II or Class III). If approved, the project will allow for development of the parking lot and 10-space bicycle parking which could connect to the formal bicycle route along El Camino Real if it were developed in the future.

Goal 3.5 discusses improving the efficiency of the existing parking system, providing sufficient parking to support future development without creating significant excess supply, and reducing overall parking demand by leveraging diverse parking management strategies. Policy 5D identifies implementing the reduced parking standards presented in the Community Plan. The existing commercial building does not have any off-street parking, and rezoning the rear portion of the parcel would allow for the proposed 20-space vehicle parking and 10-space bicycle parking lot to be more nearly in compliance with the required 24 spaces of the Commercial Mixed-Used designation for office use. Should future redevelopment of the existing commercial building occur, the proposed parking lot would serve to support that development without creating a significant excess parking supply.

c. Infrastructure (Chapter 4)

Policy 3D discusses Low Impact Development standards that promote both treatment and storage of stormwater runoff through minimizing impervious surfaces and the preservation and creation of natural landscape features. As discussed in Section A.1.a, above, the project is subject to stormwater requirements and has incorporated pervious pavers and bioretention areas to treat and minimize stormwater runoff. As conditioned, the project is compliant with this policy as well as Policy 4D that requires implementation of mandated stormwater treatment control (C.3 requirements including a National Pollutant Discharge Elimination System permit and Operation and Maintenance Agreement to maintain the site design and treatment control measures).



d. Housing (Chapter 6)

Goal 6.2 states that modification to existing land use, zoning, and other regulations and ordinances applicable to North Fair Oaks will be needed to allow and encourage the densities and types of housing required to address current and future housing needs. Re-designation of the rear portion of the parcel from Multi-Family Residential to Commercial Mixed-Use will increase the number of potential residential units for the parcel overall, if it is redeveloped. As currently designated and zoned, the maximum residential units allowed within the commercially-zoned portion of the property is 23 units; the residentially-zoned portion has a maximum of two residential units. Without taking into consideration development standards (e.g., setbacks, lot coverage, etc.) that may reduce the actual number of units physically possible on the parcel, the maximum number of residential units, given the current land use designation and zoning, is 25 units. With the proposed land use designation and zoning, the maximum number of residential units is 41, again, without taking into consideration development standards. The increased number of units resulting from the rezone, if approved, is consistent with Policy 2 which promotes additional multi-family housing by encouraging and permitting increased densities in mixed-use developments in selected areas. The increased density through the proposed rezone is also consistent with Goal 6.2 in that future housing development, were that to be proposed, could be achieved at a greater density along the major transportation corridor of El Camino Real (State Route 82).

4. Conformance with the Zoning Regulations

a. Development Standards

The 22,696 sq. ft. parcel is compliant with the CMU-1 rezone regarding minimum parcel size requirements. The portion of the parcel currently zoned residential exceeds the minimum building site requirements for the R-2/S-50 Zoning District at approximately 10,600 sq. ft. Any future development on the parcel is capable of meeting development standard requirements.

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Development Standard	R-2/S-50 Residential Uses	CMU-1 Commercial/Residential Mixed-Use
Minimum Parcel Size	5,000 sq. ft.	5,000 sq. ft.
Minimum Front Setback	20 ft.	0 feet up to 10 feet maximum
Minimum Rear Setback	20 ft.	15 ft. up to 40 ft. of building height/ 27 ft. above 40 ft. of building height
Minimum Street Side Setback	10 ft.	N/A
Minimum Interior Side Setback	5 ft.	0 ft.
Maximum Building Height	28 ft.	Residential: 50 ft. Commercial: 60 ft. Institutional: 60 ft. Mixed-Use: 60 ft.
Maximum Lot Coverage	50% (11,348 sq. ft.)	N/A
Floor Area Ratio	45% (10,213 sq. ft.)	Commercial: 150% (34,044 sq. ft.) Institutional: 100% (22,696 sq. ft.) Mixed-Use: 200% (45,392 sq. ft.)
Density of Residential Development	2 Dwelling Units	41 Dwelling Units

b. Land Uses

The following table identifies the allowed uses for the current residential zoning district and the proposed commercial mixed-use zoning district.

Should the rezone be approved, the uses allowed within the CMU-1 Zoning District would become applicable. If the rezone is not supported, then the uses allowed in the R-2/S-50 column remain applicable to the rear portion of the parcel.

Uses List Comparison	
Existing Zoning District: R-2/S-50	Proposed Zoning District: CMU-1
One-Family Dwellings	Residential Use, Ground Floor Residential - subject to Use Permit.
Two-Family Dwellings	Mixed-Use, All mixed-use other than residential above commercial - subject to Use Permit.
Public Parks and Public Playgrounds	Specialized Neighborhood Trades and Services: Personal Convenience Service, Retail Establishments; Pet Sales/Grooming, Veterinary Hospitals, Hotels, Theaters, and Massage Businesses - subject to Use Permit.
Crop and Tree Farming and Truck Gardening	Retail Sales, Rental, or Repair: Food/Beverage Stores, Indoor Retail Sales, Rental or Repair, Liquor Stores, Mobile Vending/Food Trucks - subject to Use Permit.
Home Occupations	Food Services: Restaurants, Take-Out Food Service; Bars with Use Permit; Farmers Market with Farmers Market Permit.
Residential Accessory Buildings	Offices, Professional Services: Administrative/Professional Offices, Medical and Dental Offices, Financial Institutions; Non-Chartered Financial Institutions with Use Permit.
In Association with a Dwelling: Keeping of Pets, Animal Fanciers, Domestic Poultry	Indoor Recreational Facilities; Large Facilities (>2000 sq. ft.) with Use Permit.
Large Residential Day Care Facilities, Subject to Permit	Neighborhood Institutional Facilities: Community Centers, Child Care Centers, Religious Facilities, Educational Facilities - with Use Permit.
Reverse Vending Machines at Public Facilities	Residential Accessory Uses: Home Occupations with Home Occupation Certificate.
Small Collection Facilities for Recyclable Materials at Public Facilities	Other Uses: Community Gardens, Parking Lots and Garages - with Use Permit.
Subject to a Use Permit: Churches, Schools, Libraries, Fire Stations, Golf Courses, Non-Commercial Clubs, Nurseries and Greenhouses (No Retail Sales), Keeping of Confined Animals	

c. Parking Requirements

Chapter 29.1, Section 6567.8, identifies the parking requirements specific to use; these regulations are applicable to the commercial portion of the parcel. The residential portion of the parcel is subject to Section 6119 (*Parking Spaces Required*) of the Zoning Regulations which identifies different calculations for each

use (e.g., single-family residential, apartments).

Should the split zoning be remedied through the adoption of the rezone, the parking requirements, as calculated under Section 6567.8, would total 24 spaces. If the project is approved, the anticipated parking lot would provide 20 parking spaces including one ADA (American with Disabilities Act) compliant space in addition to 10 spaces allotted for bicycle parking. The preliminary design of the parking lot retains the three trees located in the center of the residentially-zoned portion. As discussed previously, the parking lot meets minimum design standards including stall and drive aisle dimensions and ADA compliant parking.

#### 5. Rezone and Potential Development

Should the rezone not be approved, the residentially-zoned property will continue to be zone for two (2) residential units or other uses as identified in the Uses List Comparison above, and the parcel will remain split zoned. Should the rezone be approved, and the proposed parking lot not be built, the landowner will have various options for development of the entire parcel including: (1) no changes to the current development, (2) enlargement of the existing development, or (3) demolition of the existing development and contrition of a mixed-use development to the standards identified in Chapter 29.1 of the San Mateo County Zoning Regulations. A use permit would be required for the development of 100% residential or commercial uses.

#### 6. Planning Commission Hearings

The proposal for the change in land use designation and zoning was first heard by the Planning Commission on May 24, 2017. The Planning Commission recommended denial of the project due to the concerns regarding the proposal to rezone the residentially-zoned portion of the parcel while the work being conducted by staff to rezone the entire length of El Camino Real within North Fair Oaks was still ongoing (see Attachment I, Community Development Director's report summarizing the Planning Commission's recommendation on June 14, 2017).

The Board of Supervisors adopted the new CMU-1, CMU-2, and NMU-ECR Zoning Regulations along El Camino Real and 5th Avenue on November 21, 2017, effective December 21, 2017. On February 28, 2018, the project proposal was heard by the Planning Commission again for consideration in light of the newly adopted Commercial Mixed-Use Zoning Regulations. The Planning Commission voted unanimously to recommend to the Board of Supervisors to approve the applicant's request to change the rear portion of the parcel zoned R-2/S-50 to CMU-1 and from Multi-Family Residential to Commercial Mixed-Use.

#### 7. Major Development Pre-Application Workshop and North Fair Oaks Community Council Meeting

Pursuant to Section 6415.0. (*Major Development Pre-Application Procedures*) of the Zoning Regulations, staff conducted a Pre-Application Workshop in conjunction with the North Fair Oaks Community Council public meeting on January 28, 2016.

On January 28, 2016, the North Fair Oaks Community Council initially heard the

proposal for the project. After the public comment period, the Council Chair requested a continuance before they deliberated further because of insufficient noticing to the surrounding neighborhood and for feedback on possible impacts from the project to the residential areas.

During its August 25, 2016 meeting, the NFOCC heard staff's presentation of the project scope, along with a revised presentation from the applicant. Upon listening to public comment concerns of the project, Council members wanted clarification on whether the amount of proposed parking was adequate given the square footage of the existing commercial building and existing parking standards for office uses, and whether an alternative to rezoning to C-2/S-1 could be proposed. The Council considered alternatives to the rezone by exploring whether the existing Parking (P) Zoning District designation currently found along El Camino would be more appropriate to restrict the use to only parking. Staff explained that the North Fair Oaks Community Plan had identified this as one of many under-utilized/vacant parcels in the neighborhood. The new land use designations adopted in the plan encouraged mixed-use zoning, in place of previous single-use zones, such as Parking. The Council members were informed that the project for consideration was the project as submitted, and that revisions or modifications to the project would need to be proposed by the applicant. The Council voted unanimously to not recommend approval of the project to the Planning Commission out of concern for a loss of a residentially-zoned parcel.

Public concerns regarding the rezone included: (1) the loss of residentially-zoned property, (2) encroachment of commercial uses into residential areas, and (3) parking concerns for residents related to delivery vehicles.

Staff has determined that the project, as proposed and conditioned, furthers the policies and goals under the adopted North Fair Oaks Community Plan, a component of the County's General Plan, and is consistent with the recently adopted Commercial Mixed-Use zoning and land use designation.

## 8. Findings

a. That the General Plan Land Use Map Amendment for the land use designation change from Multi-Family Residential to Commercial Mixed-Use is compatible with adjacent residential and commercial land uses and will not be in conflict with the policies of the General Plan.

b. That the proposed rezoning of the subject parcel meets the public necessity, convenience, and the general welfare of the community because the rezone will create a consistent zoning across the parcel and provide future opportunities to develop the parcel with mixed-use development along a transportation corridor.

## B. ALTERNATIVES

Should the proposal be denied, the residential portion of the parcel will remain and will be restricted to uses allowed under the R-2/S-50 Zoning District and the Multi-Family Residential land use designation.

## C. ENVIRONMENTAL REVIEW

An Initial Study was completed and a Mitigated Negative Declaration posted in conformance with CEQA guidelines (see Attachment E). The public review period for this document was August 15, 2016 through September 6, 2016. Staff received no comments on the Mitigated Negative Declaration.

D. REVIEWING AGENCIES

Building Inspection Section  
Department of Public Works  
Menlo Park Fire Protection District  
Fair Oaks Sewer District  
California Water Service  
San Mateo County Department of Housing  
North Fair Oaks Community Council  
City of Redwood City Planning

County Counsel has reviewed the Resolution and Ordinance as to form.

Approval of this project contributes to the Shared Vision 2025 of a Livable Community by promoting the intensification of vacant parcels along major transportation corridors.

**FISCAL IMPACT:**

No fiscal impact.

**ATTACHMENTS:**

- A. Recommended Findings to the Board of Supervisors
- B. Vicinity Map
- C. Project Plan
- D. Land Use/Zoning Change Comparison
- E. Initial Study and Mitigated Negative Declaration
- F. Photos
- G. Pre-Application Meeting Summary Letter - March 7, 2016
- H. Notice of Merger - March 31, 2017
- I. Community Development Director's Report - June 14, 2017