



**North Fair Oaks Community Council**  
San Mateo County Coordinated  
Departmental Response



**Date:** November 10, 2014  
**NFOCC Meeting Date:** November 20, 2014  
**Special Notice / Hearing:** 10-day Notice/Property  
Owners  
**Vote Required:** Majority

**To:** Members, North Fair Oaks Community Council  
**From:** Angela Chavez, Project Planner  
Planning and Building Department  
**Subject:** Use Permit  
3113 Middlefield Road, North Fair Oaks

**RECOMMENDATION:**

Review project proposal to provide a recommendation to Planning Staff to determine whether or not the grating of the Use Permit is appropriate for the neighborhood.

**BACKGROUND:**

**Date Filed:** February 26, 2014

**Owner/ Applicant:** Timothy Vine/Greg Miller

**Project Title:** Use Permit

**County File Number:** PLN2014-00070

**Project Location:** 3113 Middlefield Road, North Fair Oaks

**APN:** 060-059-340

**Project Description:** The project applicant seeks a Use Permit to allow for an existing commercial building to be converted into a mixed use development building. The mixed use development will consist of two one-bedroom apartments on the second floor and commercial space on the first floor.

## **DISCUSSION:**

The subject parcel is currently zoned C-1/NFO/S-1/DR (Neighborhood Business Districts/North Fair Oaks/5,000 sq. ft. minimum parcel size/Design Review) and is currently developed with a commercial building. The proposed project seeks to allow for the conversion of the commercial building by converting the partial second floor area into two one-bedroom apartments while maintaining the commercial space, covered parking, and storage space on the first floor. The project will not result in significant exterior changes to the building. The conversion of the building will mainly involve alterations to the interior of the structure however windows will be added on the upper left side of the exterior to provide ingress/egress and light/air to the living units.

### Conformance with the General Plan

Staff has reviewed the project for conformance with the General Plan and has determined that the project is in conformance with the relevant components of the plan. The policies applicable to this project include the following:

#### *Urban Land Use*

The North Fair Oaks Community is designated by the General Plan as an existing urban community. The policies regarding the regulation of development in these areas encourage mixed use (residential and commercial) development when general development standards are followed. The policies also encourage that development standards be adopted to ensure that development is consistent with the defined land use designation. In accordance with this, the underlying zoning district for the subject parcel includes requirements regarding minimum setbacks, maximum lot coverage, maximum floor area, and maximum height of development.

#### *Housing Policies*

Policy HE 16 specifically encourages residential uses in commercial zones. While the current zoning largely only allows properties to be developed with a single-use, the updated North Fair Oaks Community Plan land use designation allows for mixed use development.

Policy HE 17 seeks to encourage a range of housing and mixed used development in proximity to transit or within commercial districts. The Middlefield Road corridor is an area that has been identified by the North Fair Oaks Community Plan as a priority area for allowing the type of development proposed through this project and therefore is in compliance with this policy.

North Fair Oaks Community Plan

Per the updated 2011 North Fair Oaks Community Plan, the subject parcel's land use designation was changed from Commercial to Neighborhood Mixed-Use. The proposed partial conversion of the existing commercial building is consistent with Goal 2.1, which encourages mixed-use development along major commercial corridors to support a vibrant, urban community that integrates a range of amenities. Further, as the proposed residential units and commercial space are comparable in size the proposed project is appropriately scaled to the surrounding area as defined by Policy 1A.

Conformance with Zoning Regulations

While the North Fair Oaks Community Plan includes development standards for the newly designated Neighborhood Mixed-Use land use designation these standards have not yet been adopted. Therefore, the project is subject to the C-1/NFO/S-1 development standards. A comparison of the project and the development standards is provided below:

Table 1		
Standard	C-1/NFO /S-1	Proposed
Lot Width	50 ft.	50 ft.
Lot Area (minimum)	5,000 sq. ft.	6,098 sq. ft.
Setbacks		No changes to existing
Front	20 ft.	2.05 ft. *
Rear	20 ft.	42.17 ft.
Sides	5 ft.	15.45 ft. Left Side 0 ft. Right Side *
Lot Coverage	50% or 3,049 sq. ft.	No Change
FAR	80% or 4,878.4 sq. ft.	No Change
Building Height	30 ft.	23 ft.
Parking	2 Spaces for Residential Use 8 Spaces for Office Use	2 Spaces for Residential Use 6 Spaces for Office Use*
*Indicates areas in which the project is non-conforming as a result of the proposal.		

As discussed previously the project does not include significant alterations to the existing building. At the time of original construction the building was built to adhere to the development standards in effect at that time. The existing building is considered legal non-conforming in regard to setbacks and available off-street parking due to both subsequent changes to the underlying zoning district and with the current project

proposal to introduce residential development to the site. The introduction of a new use within the non-conforming building is considered an intensification of use and therefore a Use Permit is required to allow the conversion. In addition, per Section 6253.3.B.F of the Zoning Regulations a Use Permit is required in order to allow multiple-family residential mixed use development within this zoning district.

#### Conformance with Use Permit Findings

Under the provisions of Section 6253.3.F, multiple-family dwellings-mixed use is cited as an allowed use in the C-1/NFO Zoning District with the issuance of a Use Permit. In addition, per Sections 6135 and 6136 of the Zoning Non-Conformities Chapter states that a Use Permit can also be utilized to allow for enlargement (i.e. increased intensity of use) of non-conforming structures and situations (i.e. parking). Per Section 6500 the following finding is required to be made in order for a Use Permit to be issued.

- a. **Find that the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.**

As discussed previously the proposed project will result in only minor exterior changes to the existing building which will ensure that it remains consistent with the type and scale of the existing development in the surrounding neighborhood. The two new residential units will be located on the second floor of the building and do not exceed the floor area of the commercial use on the first floor as required by the zoning district. While the current building does not meet the minimum front and right side yard setbacks the existing building does provide the required setbacks to adjacent residential uses which are located to the left and rear of the subject property. Further, the existing building location is consistent with the development on adjacent parcels which provides for a consistent rhythm of building facades along the sidewalk. In regard to the provision of off-street parking the current building is non-conforming as the current configuration would require approximately 13 off street parking spaces where only 7 are provided. While the proposed project will continue the non-conformity the alteration of existing spaces does bring the project into greater conformity as 10 spaces total would now be required and the project includes 8 spaces. Further, the project is also consistent with the objectives of the North Fair Oaks Community Plan in regard to allowing mixed use development within the defined Neighborhood Mixed Use land use designated area.


#### Conformance with Bayside Design Review

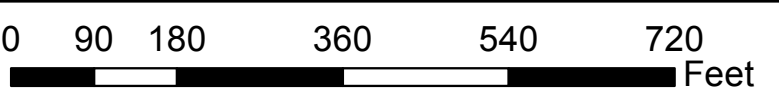
The Design Review Officer found the proposed project to be minor in nature and in compliance with the design standards applicable to this zoning district, and exempted the project from review by the Design Review Committee given that the exterior of the building is to remain largely unchanged except for the addition of three windows to the left side of the building.

**ATTACHMENTS:**

- A. Vicinity Map
- B. Existing Site Plan
- C. Proposed First Floor Plan
- D. Proposed Second Floor Plan
- E. Proposed Elevations
- F. Survey



**PLN2014-00070**  
 Subject Parcels



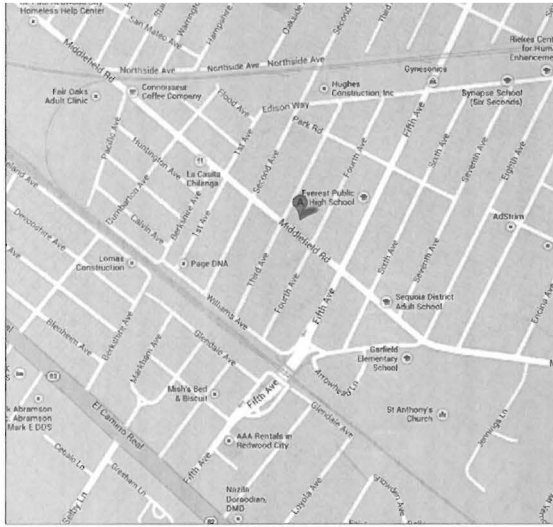
# Vicinity Map

*Glub'A UHc'7 ci bhmBcfh : Ujf'CU\_g'7 ca a i b]hm7 ci bW' A YH]b[*

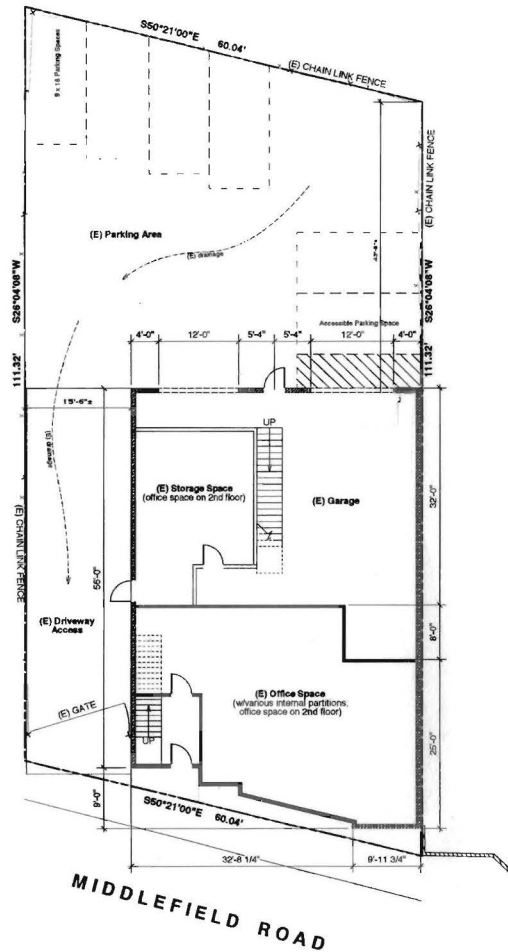
Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

File Numbers: \_\_\_\_\_



**3113 MIDDLEFIELD ROAD, REDWOOD CITY**



**1 Existing Site Plan**  
Scale: 1/8" = 1'-0"

**PROJECT DESCRIPTION:**  
**REMODEL EXISTING OFFICE BUILDING INTO MIXED-USE BUILDING**  
 ♦ OFFICES TO REMAIN ON GROUND FLOOR  
 ♦ (2) NEW RESIDENTIAL UNITS UPSTAIRS  
 ♦ NO NEW SQUARE FOOTAGE ADDED TO BUILDING FOOTPRINT  
 ♦ NEW WINDOWS ON TWO DRIVEWAY SIDE AND REAR  
 ♦ NEW PARKING LAYOUT AT REAR EXISTING PARKING AREA  
 ♦ (2) NEW RESIDENTIAL COVERED PARKING SPACES INSIDE AT REAR

**CONTACT INFORMATION:**

<b>OWNER:</b> TIM VINE 33 MONTECITO ROAD WOODSIDE, CA 650-862-5786 TIM@LSL.NET	<b>STRUCTURAL ENGINEER / TITLE 24:</b> ATA ENGINEERING ALI ADIB, P.E. 1202 MAIN STREET REDWOOD CITY, CA 94063 TEL: (650)363-2338 ATAGATAENG.NET
<b>DESIGNER:</b> GREG MILLER GREG MILLER DESIGNS 831-338-1121 GREGMILLER@GPOBOX.COM	

ZONING INFO		
ADDRESS:	3113 MIDDLEFIELD ROAD	
APN:	060-059-340	
ZONE:	C-1/NFO	
LOT AREA:	6496.34 SF	0.15 ACRES
	<b>EXISTING:</b>	<b>PROPOSED:</b>
OFFICE SPACE:	2778.40 SF	1672.00 SF
RESIDENTIAL SPACE:	0.00 SF	1672.00 SF
OFFICE SPACE FOR PARKING:		1214.00 SF
PARKING SPACES PROVIDED:		8 TOTAL
COMMERCIAL SPACES:		6 SPACES (1 ACCESSIBLE)
RESIDENTIAL SPACES:		2 COVERED
IMPERVIOUS SURFACES:	3743.18 SF	3743.18 SF
NO NEW GRADING IS PROPOSED		
NO NEW LANDSCAPING IS PROPOSED		
NO NEW IMPERVIOUS SURFACES ARE PROPOSED		

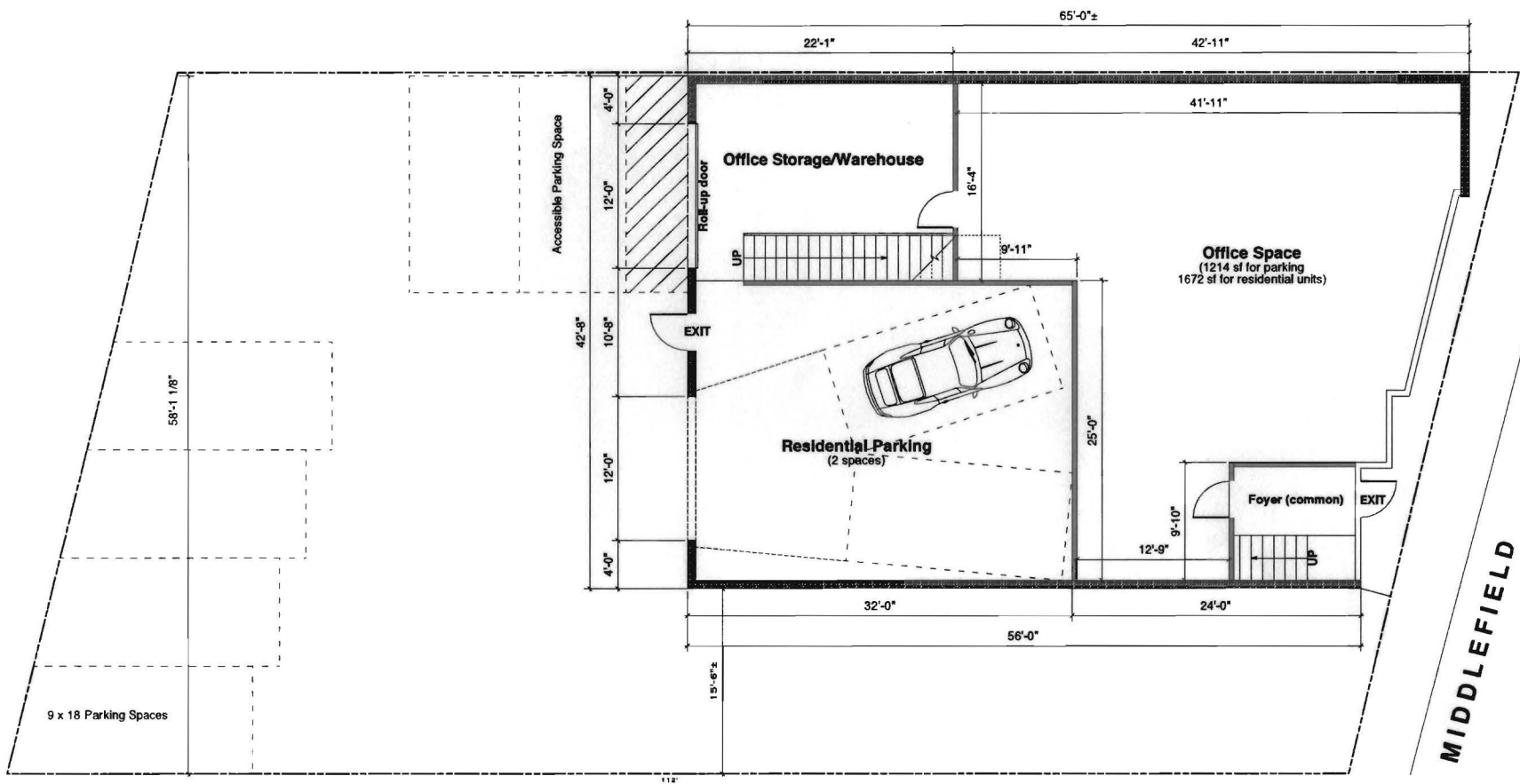
DRAWING INDEX	
A1	PROJECT INFORMATION AND SITE PLAN
A2	PROPOSED FIRST FLOOR PLAN
A3	PROPOSED SECOND FLOOR PLAN
A4	ELEVATIONS
S1	SURVEY

San Mateo County Bcfh : Uj'CU\_g'7ca a i b]m7 ci bW' A YH]b[

Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

File Numbers: \_\_\_\_\_



1 Proposed First Floor  
Scale: 1/4" = 1'-0"

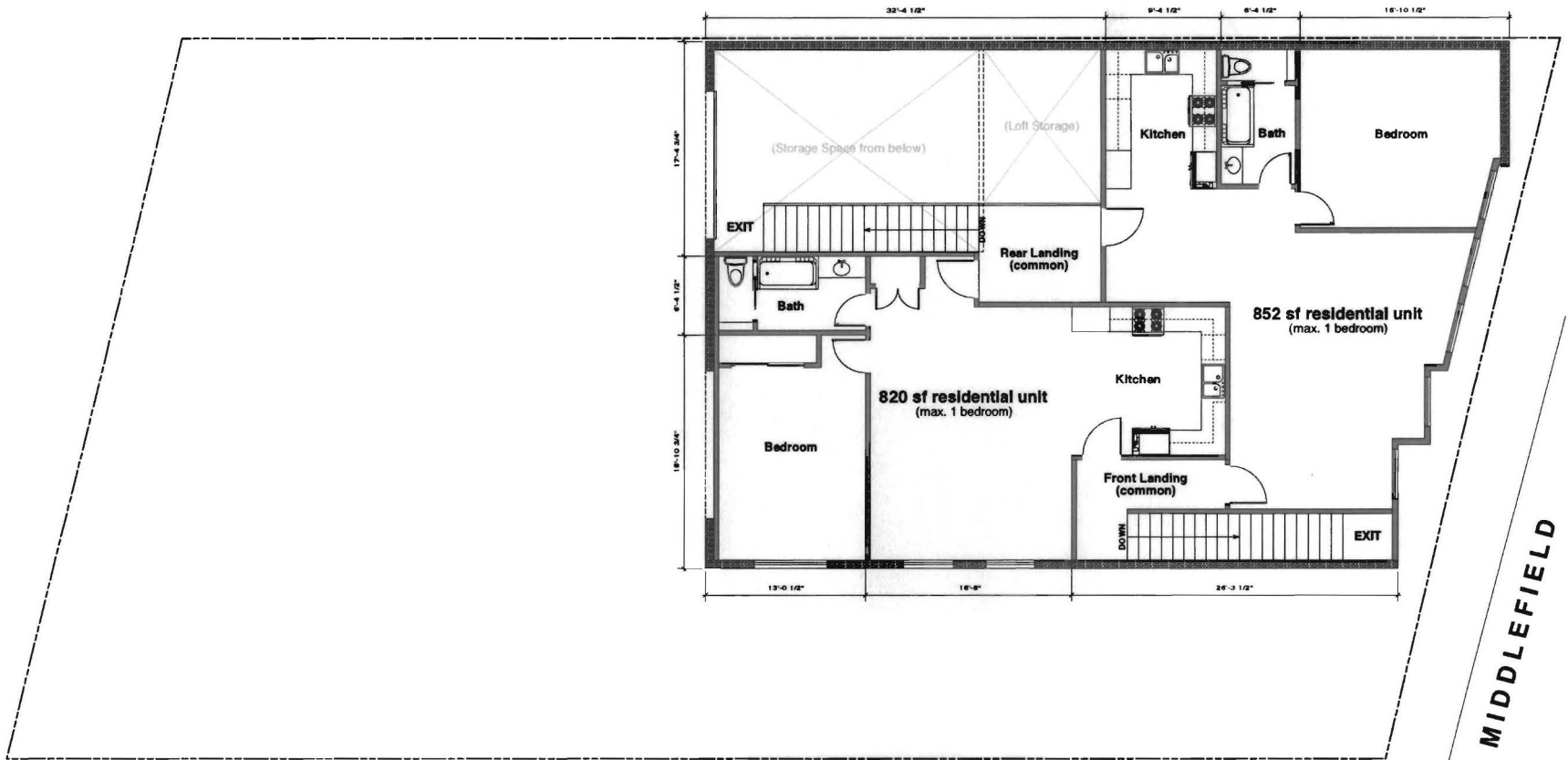
*Gub'A UYc '7 ci bhmBcfh : Ujf'CU\_g'7 ca a i b]hm'7 ci bW' A YH]b[*

Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

File Numbers: \_\_\_\_\_





1 Proposed Second Floor  
Scale: 1/4" = 1'-0"

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Owner/Applicant:

Attachment:

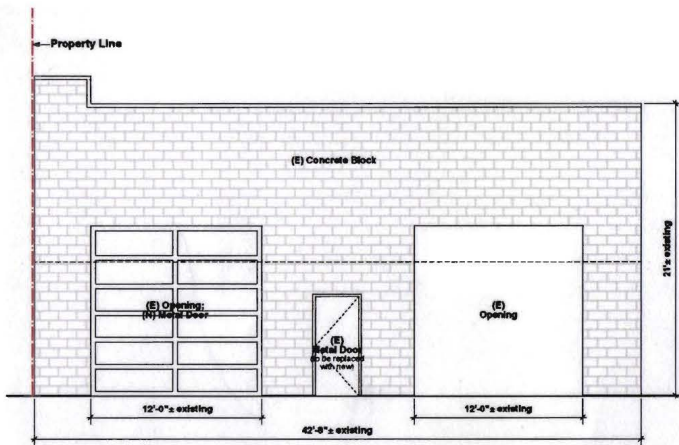
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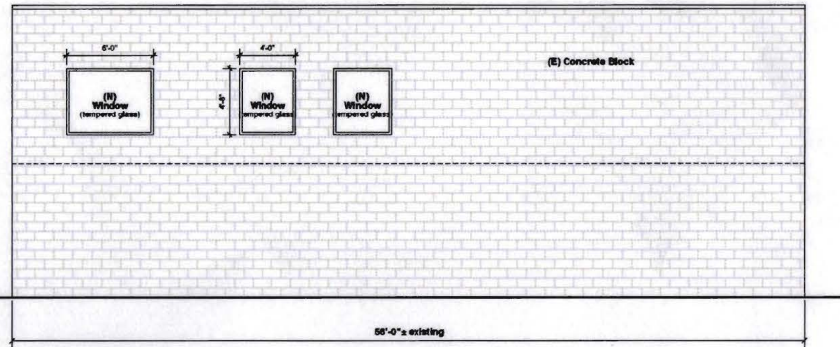
**EXISTING REAR ELEVATION**



**EXISTING SIDE ELEVATION**



**1 Proposed Rear Elevation**  
Scale: 1/4" = 1'-0"



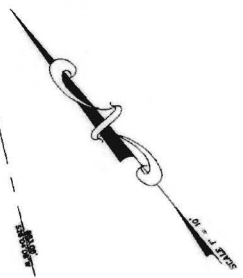
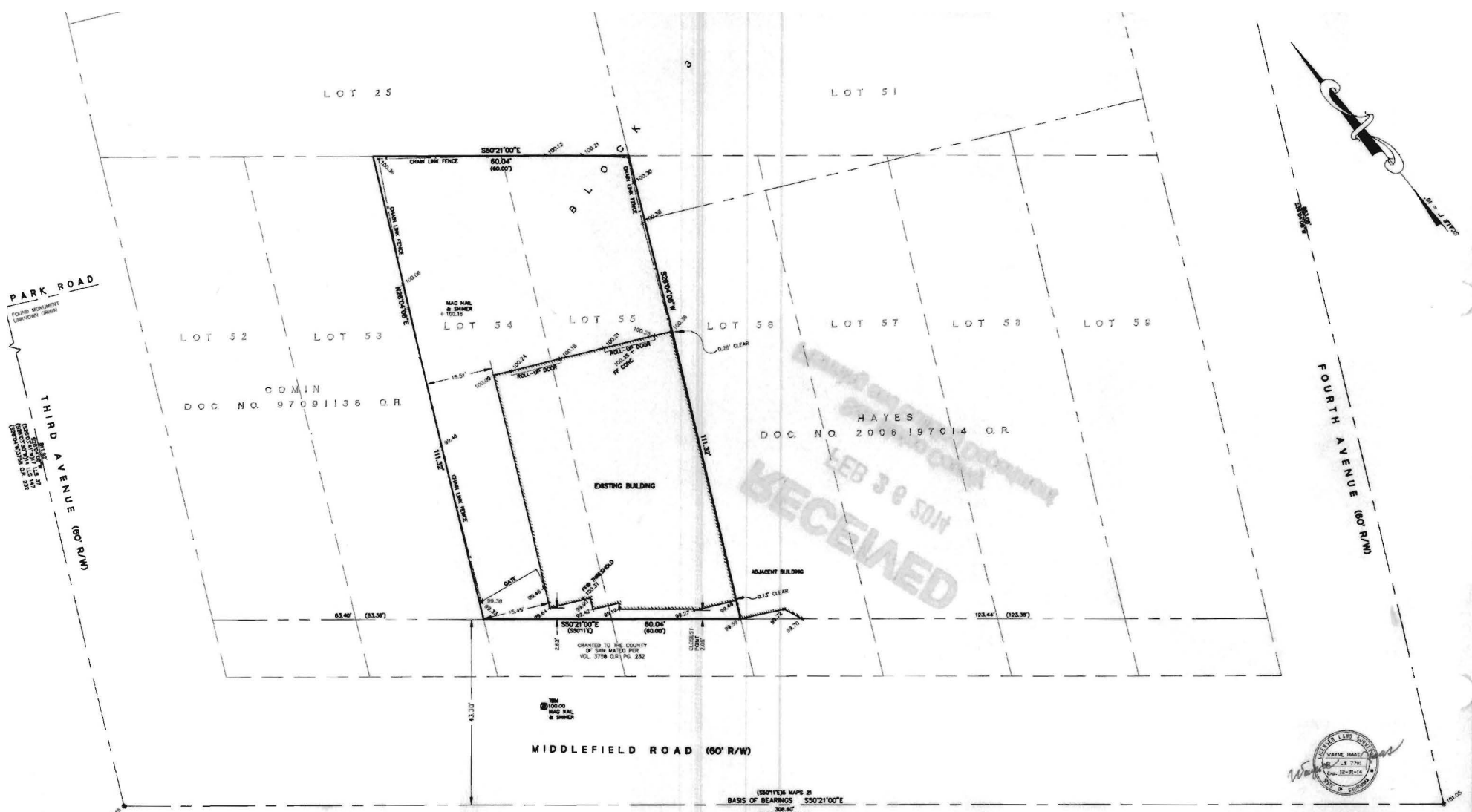
**2 Proposed Side Elevation**  
Scale: 1/4" = 1'-0"

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Owner/Applicant: \_\_\_\_\_

Attachment: \_\_\_\_\_

File Numbers: \_\_\_\_\_



**EASEMENT NOTES:**  
 1) NO EASEMENTS ARE SHOWN ON THE RECORD SUBDIVISION MAP OTHER THAN SHOWN ON THIS MAP, IF ANY.  
 2) NO TITLE REPORT WAS PROVIDED BY THE CLIENT AND NO REPRESENTATION IS MADE BY B & H SURVEYING, INC. AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY EASEMENTS.

**BASIS OF ELEVATIONS:**  
 ELEVATIONS ARE BASED UPON AN ASSUMED DATUM.  
 \* TBM: MAG RAIL & SHNER SET IN MIDDLEFIELD ROAD, AS SHOWN ELEVATION = 100.00

**LEGEND:**  
 \* FOUND 1 1/2" BRASS DIX MONUMENT WITH PLUMB LINE IN STREET CORNER PER 14 LLS 141 UNLESS OTHERWISE NOTED

**BASIS OF BEARINGS:**  
 THE BEARING S 80°17'00" E ON THE MONUMENT LINE OF MIDDLEFIELD ROAD, AS SHOWN ON THE RECORD OF SURVEY FILED IN VOL. 14 OF LLS MAPS AT PAGES 146 - 149, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

(S50°21'00"E MAPS 21)  
**BASIS OF BEARINGS S50°21'00"E**  
 2013  
 (2016) 14 LLS 147

**EXISTING BUILDING LOCATION SURVEY**  
 LANDS OF VINE  
 DOCUMENT #88148466 O.R.  
 PORTION OF LOT 54 & 55, BLOCK 3  
 "NORTH FAIR OAKS"  
 VOLUME 5 OF MAPS AT PAGE 21  
 ASSESSOR'S PARCEL NUMBER: 060-059-340  
 (3113 MIDDLEFIELD ROAD)  
 REDWOOD CITY SAN MATEO COUNTY CALIFORNIA  
 SCALE: 1" = 10'  
**B & H SURVEYING, INC.**  
 PROFESSIONAL LAND SURVEYING  
 801 WALTERS ST.  
 WILSONVILLE, OR 97150  
 OFFICE (503) 637-1580  
 FAX (503) 637-1599

Gub'A UHc'7 ci bhmBcfh : Uj'CU\_g'7 ca a i b]m'7 ci bW'A YHj[b[

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