



NORTH FAIR OAKS COMMUNITY COUNCIL

Owner: Mario Rodighiero, Rodighiero Properties LLC

Applicant: Kyle Tran

File Number: PLN 2023-00216

Location: 424 Dumbarton Avenue, North Fair Oaks

APN: 054-222-300

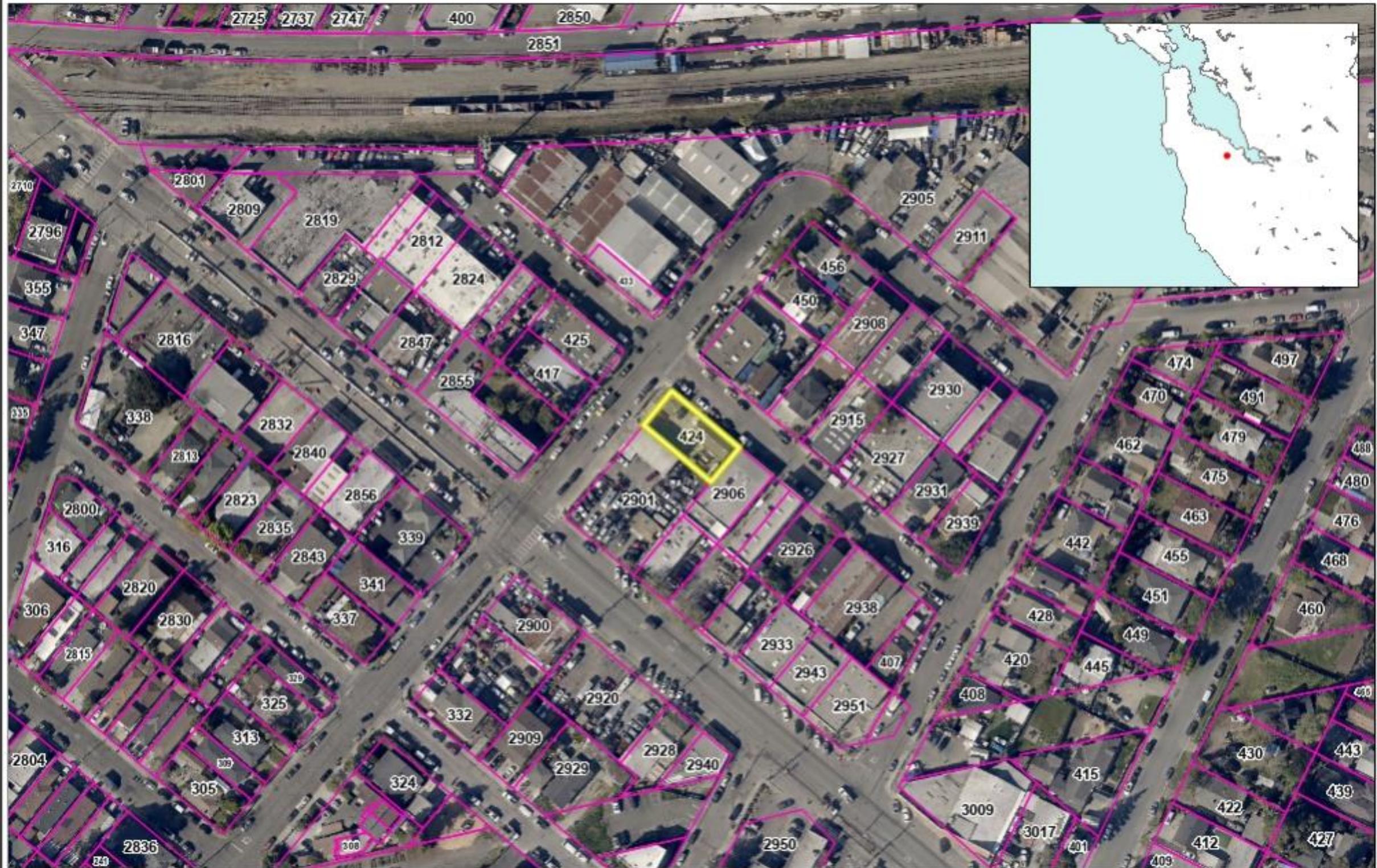
Project Description:

Use Permit and Off-Street Parking Exception to legalize two single-story attached residential units with two uncovered parking spaces, a minimum building height of 9 feet 3 inches where 36 feet is the minimum building height required, and a 0-foot left side yard setback where 2 feet is required, on a conforming 5,000 sq. ft. parcel located at 424 Dumbarton Avenue in North Fair Oaks. No tree removal and no grading are proposed.



PROJECT PROPOSAL

- Use Permit legalize the conversion of a commercial building into two single-story attached habitable residential units (Units A and B) that were converted without permits.
- Each habitable unit is approximately 268 square feet.
- The units are located at the front of the existing parcel in the CMU-3 (Commercial Mixed Use-3, North Fair Oaks) Zoning District where 5,000 sq. ft. is the minimum lot size.



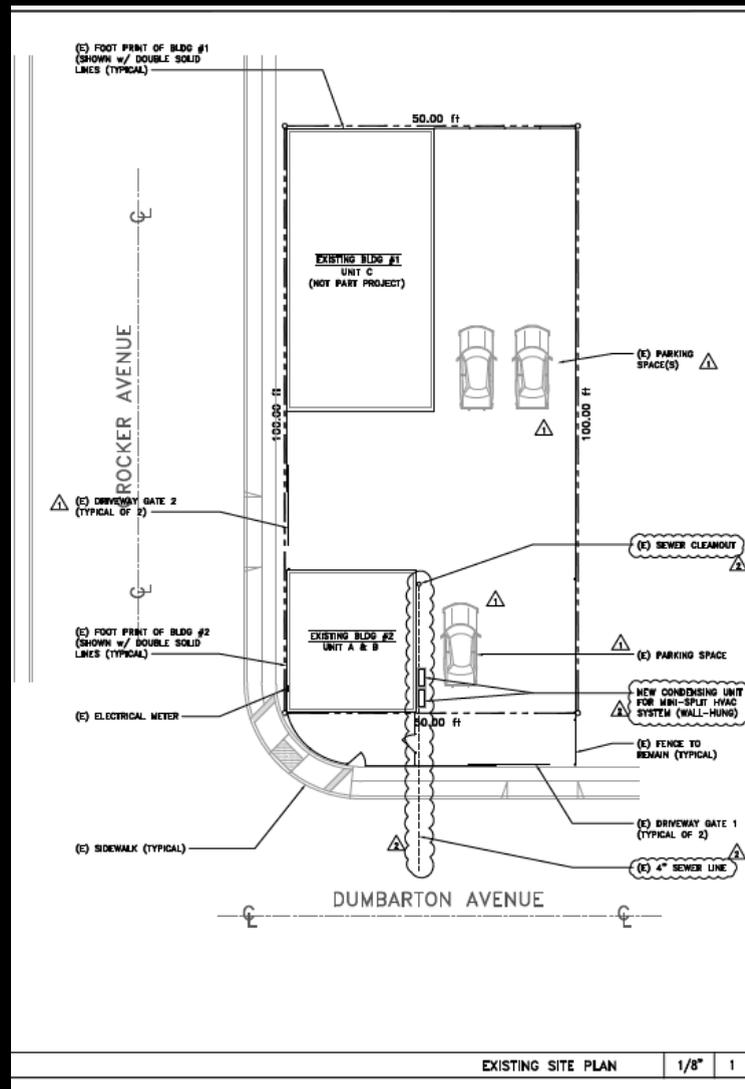


Entrance driveway

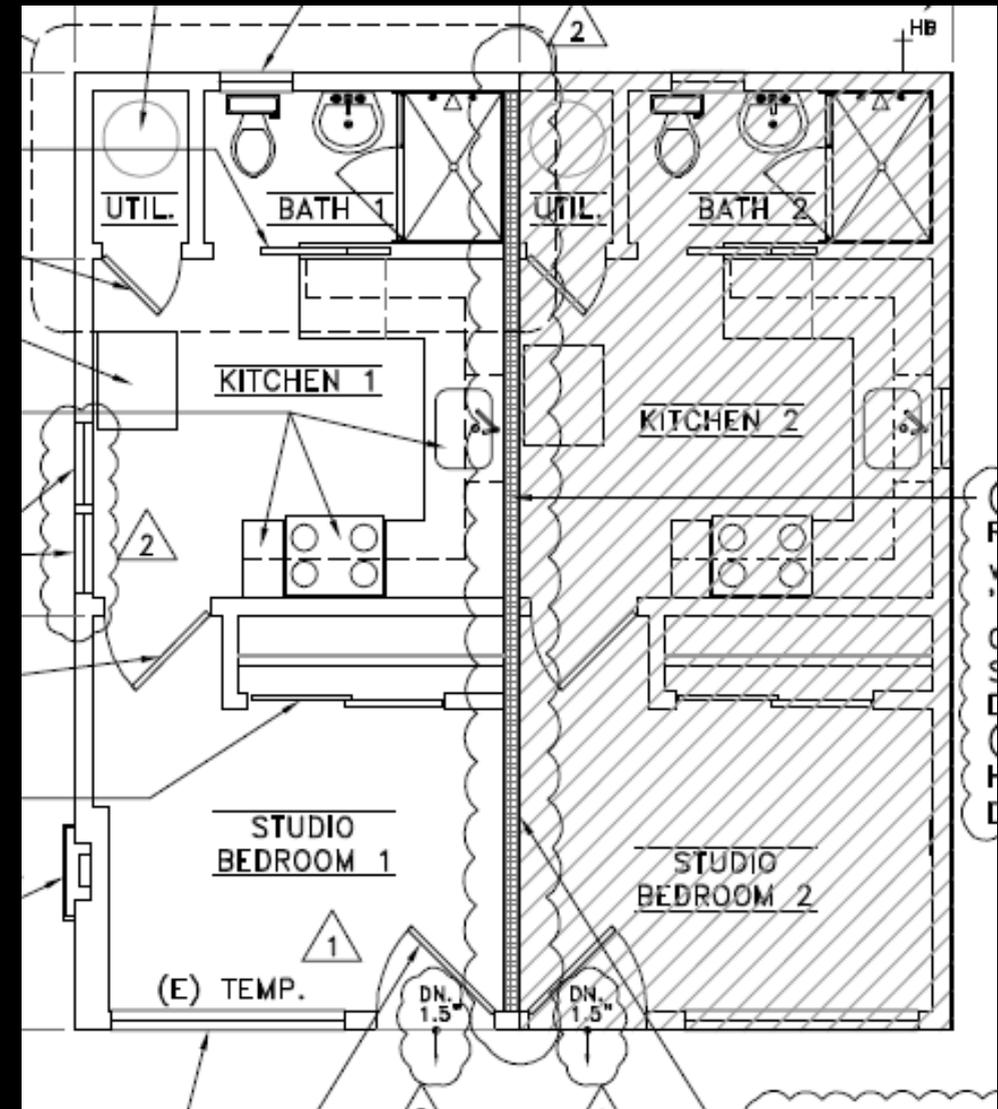


View of Building #1 (commercial use)

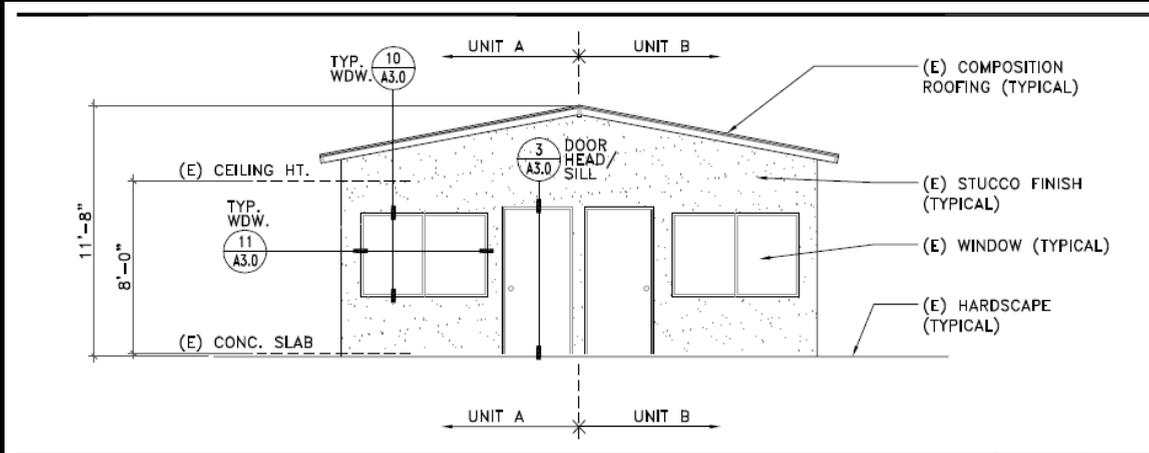




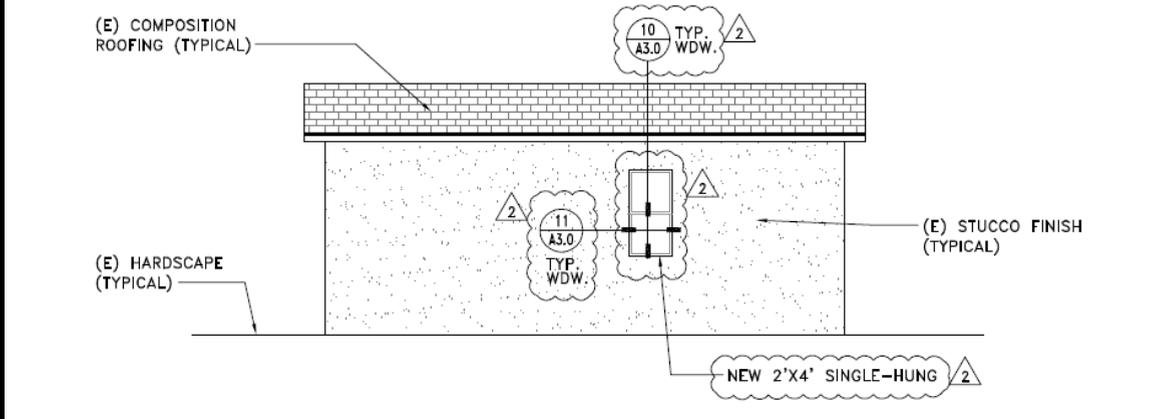
Site plan



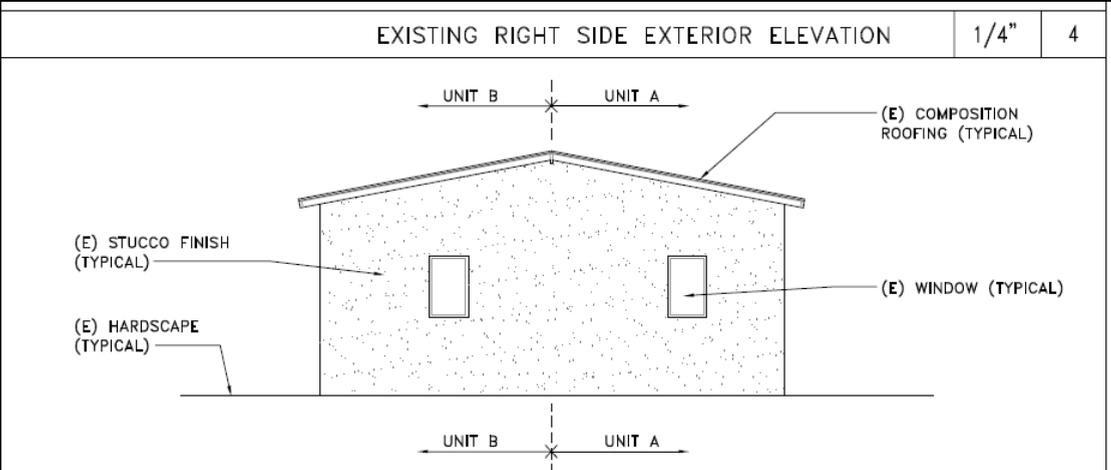
Floor plan



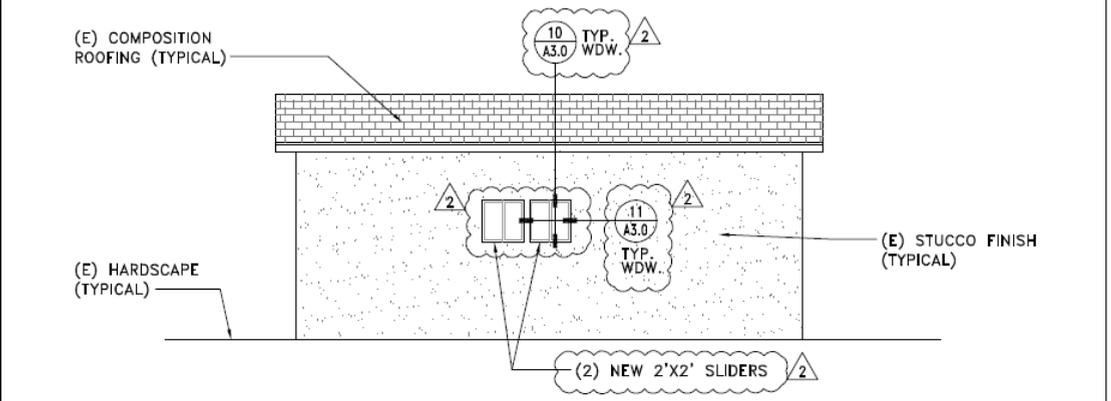
EXISTING FRONT EXTERIOR ELEVATION 1/4" 3



EXISTING RIGHT SIDE EXTERIOR ELEVATION 1/4" 4



EXISTING REAR EXTERIOR ELEVATION 1/4" 5



EXISTING LEFT SIDE EXTERIOR ELEVATION 1/4" 6

Elevations

	CMU-3 Development Standard	Existing	Proposed Addition
Minimum Lot Size	5,000 sq. ft.	5,000 sq. ft.	No change
Minimum Front Setback	0 ft. + 8 ft. sidewalk	9 ft. + 5 ft. wide sidewalk	No change
Minimum Rear Setback	10 ft.	>50 ft. (to residential building)	No change
Minimum Side Setbacks	8 ft. (Including sidewalk)	6-ft. sidewalk, left side* 27 ft., right side	No change
Minimum/Maximum Building Height	36 ft. minimum height 75 ft. maximum height	9 ft., 3 in.*	No change*



Project conformity

- General Plan /North Fair Oaks Community plan
- CMU-3 Zoning District
 - the existing/proposed 6 ft. left side yard (facing Crocker Avenue)
 - the minimum height propose, 9 ft., 3 in.
 - Off Street Parking Exception to allow two uncovered spaces where two covered spaces is required.
 - Request for an exception to the Electrical Vehicle (EV) parking requirement



Use Permit

- In order to grant the Use Permit as applied for or conditioned, the findings of the Zoning Hearing Officer must include that the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood.
- That the horizontal mixed use development is compatible with the surrounding uses, and will not detract from the commercial, pedestrian-oriented character of the street.
- That the horizontal alignment of the uses is necessary due to specific characteristics of the type or mix of uses in the proposed development, or due to the specific character of the parcel or location of the development.
- That provision of the same uses in a vertical mixed-use design would be unduly costly, burdensome, or would not meet the intent of mixed-use development in this district, as described in Chapter 2 of the North Fair Oaks Community Plan.
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Off Street Parking Exception

The number of spaces, location, and design of existing bicycle parking would adequately serve the new building occupants.

There is more than adequate space on site to provide one designated bicycle parking in compliance with the CMU-3 district.

Extenuating and/or unusual circumstances exist relating to property shape or location of development that impair compliance with Section 6570.8.

Due to the location of the existing buildings, there is not adequate space to construct a new two-car garage or carport without obstructing existing access to the rear building's existing (commercial) garage doors. Requesting an Off-Street Parking Exception to provide two uncovered parking space located between the buildings will be as nearly in compliance with the parking regulations as reasonably possible.



ENVIRONMENTAL REVIEW

The project is categorically exempt pursuant to California Environmental Quality Act Guidelines Section 15301, Class 1(a), consisting of the minor alteration of an existing private structure, interior alterations involving such things as interior partitions, plumbing and electrical conveyances.



RECOMMENDATION

That the North Fair Oaks Council recommend approval of the Use Permit and Off Street Parking Exception to legalize two single-story attached residential units with two uncovered parking spaces, a minimum building height of 9 feet 3 inches where 36 feet is the minimum building height required, and a 0-foot left side yard setback where 2 feet is required, Based on the findings and conditions of approval of the staff report.



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