

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: December 9, 2015

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of an Off-Street Parking Exception, pursuant to Section 6120 of the San Mateo County Zoning Regulations (Parking Exceptions), to allow two tandem parking spaces within a covered garage, located at 431 3rd Avenue in the unincorporated North Fair Oaks area of San Mateo County. (Applicant's appeal from the Community Development Director's denial of the exception).

County File Number: PLN 2015-00106 (Atendido/Hernandez)

PROPOSAL

The appellant is appealing the denial of an Off-Street Parking Exception to allow two tandem parking spaces within an existing covered garage and attached carport extension in lieu of the requirement of two covered parking spaces required for a residence of two or more bedrooms. The parking exception is triggered by a proposal for a two bedroom, one bathroom addition to the existing two bedroom, one bath 1,265 sq. ft. single-family residence, which will be utilized as a four-bed senior care facility. The appellant proposes to extend the existing one-car garage into the residence in order to accommodate the tandem spaces. The request was denied with the finding that: (1) the establishment, maintenance and/or conducting of the off-street parking facilities, as proposed, are not as nearly in compliance with the requirements as are reasonably possible, and (2) the establishment, maintenance and/or conducting of the use will be detrimental to the public welfare or injurious to property or improvements in said neighborhood.

RECOMMENDATION

Deny the appeal and uphold the decision of the Community Development Director to deny the Off-Street Parking Exception, County File Number PLN 2015-00106.

SUMMARY

On March 18, 2015, the applicant applied for an Off-Street Parking Exception to allow one covered parking and one uncovered tandem parking space within the 20-foot front yard setback in conjunction with a proposal to convert the residence to a senior care

home. On May 28, 2015, staff presented the proposal to the North Fair Oaks Community Council (NFOCC), where after consideration of the public comment and application materials, the NFOCC, on a 5-2 vote, recommended that the Community Development Director deny the application. Staff returned to the NFOCC on June 25, 2015 with the secondary proposal to extend the existing one-car covered garage further into the residence to accommodate a proposed 9'6" x 38' tandem two-car covered parking garage. On a vote of 5-1, the NFOCC recommended that the Community Development Director deny the Off-Street Parking Exception.

An appeal was filed on July 14, 2015. The appeal is based on the following: (1) the intended use of the property as a four-bed senior care home will not create any additional parking requirements, (2) the applicant is proposing to provide two covered parking spaces in tandem design, thereby increasing the existing parking on the property, and (3) nursing staff will be required to park their vehicles in the garage which will allow additional visitor parking in the driveway.

Staff recommends that the appeal be denied, and the decision of the Community Development Director be upheld by making the finding that: (1) the establishment, maintenance and/or conducting of the off-street parking facilities, as proposed, are not as nearly in compliance with the requirements as are reasonably possible, and (2) the establishment, maintenance and/or conducting of the use will be detrimental to the public welfare or injurious to property or improvements in said neighborhood.

However, in the event that the Planning Commission is able to make the required findings and decides to uphold the appeal and approve the Off-Street Parking Exception, staff has provided Alternative Findings for Approval (Attachment B).

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**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: December 9, 2015

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of an Off-Street Parking Exception, pursuant to Section 6120 of the San Mateo County Zoning Regulations (Parking Exceptions), to allow two tandem parking spaces within a covered garage, located at 451 3rd Avenue in the unincorporated North Fair Oaks area of San Mateo County. (Applicant's appeal from the Community Development Director's denial of the exception).

County File Number: PLN 2015-00106 (Atendido/Hernandez)

PROPOSAL

The appellant is appealing the denial of an Off-Street Parking Exception request to allow the extension of the existing one-car garage (where two-car side by side covered parking is required) further into the residence to accommodate a proposed 9' 6" x 38' tandem two-covered parking garage in conjunction with a proposal to convert the residence into a senior care home. The request was denied based on the following findings: (1) the establishment, maintenance and/or conducting of the off-street parking facilities, as proposed, are not as nearly in compliance with the requirements as are reasonably possible, and (2) the establishment, maintenance and/or conducting of the use will be detrimental to the public welfare or injurious to property or improvements in said neighborhood.

RECOMMENDATION

Deny the appeal and uphold the decision of the Community Development Director to deny the Off-Street Parking Exception based on the findings of denial in Attachment A of this report (County File Number PLN 2015-00106).

Should the Planning Commission decide to uphold the appeal and approve the Parking Exception, staff has added Attachment B, with the appropriate findings and conditions.

BACKGROUND

Report Prepared By: Tiare Pena, Project Planner, Telephone 650/363-1850

Report Reviewed By: David Holbrook, Senior Planner

Applicant/Owner: Arnoldo Hernandez/Kristina Atendido

Appellant: Kristina Atendido

Location: 451 3rd Avenue, Redwood City

APN: 060-056-230

Parcel Size: 3,900 sq. ft.

Existing Zoning: R-1/S-73 (Single-Family Residential/5,000 sq. ft. minimum)

General Plan Designation: Low Density Residential (0.3-2.3 dwelling units/acre)

Existing Land Use: Single-Family Dwelling

Flood Zone: Zone "X" (Area of Minimal Flooding); Panel No. 06081C0304E, effective October 16, 2012.

Environmental Evaluation: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Class 3.

Setting: The subject parcel is located in a densely populated single-family residential neighborhood in the unincorporated North Fair Oaks area of San Mateo County.

Chronology:

<u>Date</u>	<u>Action</u>
March 18, 2015	- The Planning Department received an application for an Off-Street Parking Exception to allow one covered parking and one tandem parking space where two-covered parking spaces are required in conjunction with an addition to the existing single-family residence.
May 28, 2015	- Planning staff presented the proposal to the North Fair Oaks Community Council (NFOCC). On a 5-2 vote, the NFOCC recommended denial of the proposal.

- June 25, 2015 - Planning staff returned to the NFOCC with a secondary proposal to extend the existing garage further into the residence in order to accommodate a 9' 6" x 38' tandem two-car covered parking garage. On a 5-1 vote, the NFOCC recommended denial of the proposal.
- July 1, 2015 - Community Development Director denies PLN 2015-00106.
- July 14, 2015 - Erwin R. Tanjuaquio files an appeal of the denial on behalf of the property owner and the applicant.
- December 9, 2015 - Planning Commission public hearing.

DISCUSSION

A. **KEY ISSUES OF THE APPEAL**

A copy of Mr. Tanjuaquio's appeal is included as Attachment F of this report. The following italicized text are comments taken directly from the appeal document.

1. **Determination that the establishment, maintenance and/or conducting of the off-street parking facilities, as proposed, are as nearly in compliance with the requirements as are reasonably possible cannot be made.**

The subject property was purchased for the specific intent to convert it into a senior care, non-ambulatory facility to provide care for four (4) elderly residents. The requested off-street parking exception can be found to be in compliance as we are proposing to provide two (2) parking spaces in tandem form within the garage. This will require substantial alteration of the existing structure. Further, to ensure that the limited street parking will not be exacerbated by the proposed project, the two (2) nursing staff for the senior care facility will be required to park their automobiles inside the garage, which will provide additional off-street parking on the driveway for visitors. There is adequate space on the driveway to park an additional automobile.

Staff's Response: The determination that the establishment, maintenance and/or conducting of the off-street parking facilities, as proposed, are as nearly in compliance with the requirements as are reasonably possible was unable to be made for the following reason. The proposal, to reconfigure one bedroom and add an additional bedroom to an existing three-bedroom single-family 1,265 sq. ft. residence, resulting in a 1,656 sq. ft. residence on a non-conforming parcel (3,950 sq. ft. where 5,000 sq. ft. is the minimum parcel size, and 33' width where 50' is the minimum), and requesting an

off-street parking exception for tandem parking, is simply not a reasonable request given the constraints of the property.

2. **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 neighborhoods.**

We believe that the proposed senior care facility provides a much needed amenity not only for the local community but the Bay Area region as well. Further, we believe that the proposed senior care facility will enhance the North Fair Oaks community with a fully renovated property serving the needs of the least served segment of our communities.

We are sensitive to appreciate the sentiments of the NFOCC and Planning staff and we believe that our amended proposal to provide off-street covered tandem parking for two (2) automobiles address their stated concerns and would comply substantially to the Planning Code's parking requirements. We believe this would alleviate the concern that the granting of the off-street parking exception would be "detrimental to the public welfare." In fact, the proposed amended project would provide an additional covered parking space that did not exist before to serve a low-intensity use that does not have a high parking demand. Also, nursing staff would be required to park in the garage.

Staff's Response: While staff agrees that there is a great need in San Mateo County for senior care facilities, the subject property does not provide the ideal situation in regards to the non-conforming parcel size and inadequate parking in the densely populated neighborhood of North Fair Oaks. In granting off-street parking exceptions, we analyze the existing constraints on the subject parcel and the resultant effect of the proposal. For example, if a proposal for a third bedroom on a property with two existing bedrooms requires an off-street parking exception, we analyze whether the placement of the structure on the parcel renders constructing a conforming garage impossible. If that is the case, but we determine that all other zoning requirements (i.e., setbacks, lot size, floor area) are met, we can make the finding that the use (off-street parking exception) will not be detrimental to the neighborhood. In this case, non-conformities exist in both lot size and frontage measurement. Further, there is no guarantee that the proposed use as a senior care facility will continue into the future.

B. NORTH FAIR OAKS COMMUNITY COUNCIL

In June of 1987, the Board of Supervisors of the County of San Mateo, as part of the Community Development Block Grant Program, authorized the development of a special committee to study the Economic Strategies in North Fair Oaks and

established a Municipal Advisory Council for the unincorporated North Fair Oaks Community. The North Fair Oaks Community Council (NFOCC) provides recommendations on the issues of community health, safety, welfare, public works, and planning for the North Fair Oaks geographic area.

The NFOCC has set parameters for projects to be brought to the council for review and recommendation. In this case, the parameters were met in that: (1) the requested parking exception is associated with a residential addition that results in a total of more than 3 bedrooms, (2) the proposed addition would exceed a 50% valuation as determined by the Building Inspection Section, and (3) that neighbors raised objections to the proposal.

On May 28, 2015, planning staff presented the proposal for the off-street parking exception to allow one covered parking space and one uncovered tandem parking space to the NFOCC. Concerned neighbors attended the meeting and discussed the lack of available parking in the neighborhood and the concerns about the conversion of the residence to a senior care facility. On a 5-2 vote, the NFOCC recommended that the Community Development Director deny the proposal.

On June 25, 2015, planning staff returned to the NFOCC with a secondary proposal to extend the existing garage further into the residence in order to accommodate a 9' 6" x 38' tandem two-car covered parking garage. The applicant stated that these two spaces would be both adequate and reserved for the two nursing staff necessary to serve the facility. Concerned neighbors attended the meeting and reiterated their concerns of the lack of available parking in the area, the inevitable spillover of off-site parking, and the conversion of the residence into a senior care facility. On a 5-1 vote, the NFOCC recommended that the Community Development Director deny the secondary proposal.

1. Compliance with Parking Requirements and Allowable Exception

Section 6118 (*General Requirements - Parking; Type and Location*) requires that parking spaces required in connection with residential uses shall be provided in private garages, carports, or storage garages located on the same building site as the main building.

Additionally, no required parking space shall be permitted in the front yard unless: 1) the slope of the front half of the lot exceeds 14%, or 2) it is an uncovered space serving a substandard lot that is (a) smaller than 4,500 sq. ft. in area, (b) not in common ownership with contiguous lots, and (c) developed with an affordable (very low, low, or moderate income) single-family residential unit.

Section 6119 (*Parking Spaces Required*) requires two (2) covered parking spaces for each dwelling unit having two or more bedrooms.

Staff Analysis: The project involves a three-bedroom house (with an already non-conforming one-car garage) that proposes to add a fourth bedroom, which would, by itself, trigger the subject Parking Exception. Added to that, however, is the conversion of the residence to a four-patient elder care facility. That change of use potentially adds parking beyond that is required for just adding a fourth bedroom to a residence; its use triggers the need to accommodate both nursing staff, as well as family visitors, doctors, or other health professionals, including occasional ambulance transportation for the elder residents.

2. Compliance with Parking Exception Finding

Pursuant to Section 6120 (*Exceptions*), exceptions are allowed as stated:

In cases of practical difficulties and unusual hardship, the Planning Commission may, after proper hearings, recommend exceptions to the requirements to the foregoing requirements. The Planning Commission only needs to make the finding that the establishment, maintenance and/or conducting of the off-street parking facilities, as proposed, are as nearly in compliance with the requirements set forth in Section 6119 as are reasonably possible.

Staff Conclusion: With the NFOCC's recommendation for denial, staff is hard-pressed to make the required finding for the parking exception. There are no General Plan policies around these types of facilities that would support parking exceptions (as there are for typical affordable housing). That the proposal is to both add a fourth bedroom and convert the residence to the elder care facility suggests a level of use intensification that staff concludes in conflict with the proposed parking provisions being "as nearly in compliance with the requirements set forth in Section 6119 as are reasonably possible."

ATTACHMENTS

- A. Recommended Findings for Denial
- B. Alternative Recommended Findings for Approval
- C. General Location/Vicinity Map
- D. Site Plan
- E. Letter of Denial, dated June 3, 2015
- F. Letter of Denial, dated July 1, 2015
- G. Appeal Application
- H. Appellant's Statement

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS OF DENIAL

Permit or Project File Number: PLN 2015-00106 Hearing Date: December 9, 2015

Prepared By: Tiare Peña
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS FOR DENIAL

Deny the appeal and uphold the decision of the Community Development Director to deny the Off-Street Parking Exception by making the following determinations:

1. That the establishment, maintenance and/or conducting of the off-street parking facilities, as proposed, are not as nearly in compliance with the requirements as are reasonably possible. In this case, the non-conformities already existing in both and frontage width would be compounded with the addition of a fourth bedroom requiring further exceptions to an already constrained parcel.
2. That the establishment, maintenance and/or conducting of the use will, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhoods. On street parking in the neighborhood is at maximum capacity. The conversion of the single-family residence to a senior care facility, with the expectation of nursing staff and visitors, may cause a negative impact to available on-street parking.

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County of San Mateo
Planning and Building Department

ALTERNATIVE
RECOMMENDED FINDINGS OF APPROVAL

Permit or Project File Number: PLN 2015-00106 Hearing Date: December 9, 2015

Prepared By: Tiare Peña
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS FOR APPROVAL

Uphold the appeal and approve the Off-Street Parking Exception by making the following findings:

For the Environmental Review

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, relating to the minor alterations of existing, private structures (in this case a single-family residence), involving negligible expansion.

For the Off-Street Parking Exception

2. That the establishment, maintenance and/or conducting of the off-street parking facilities, as proposed, are as nearly in compliance with the requirements as are reasonably possible. In this case, the proposal is to alter the garage such that two covered tandem parking spaces could be provided there, reserved for nursing staff. An additional off-street parking space is accommodated within the on-site driveway for occasional visitors. This would be considered a reasonable parking accommodation if the project use was restricted to that of adding a fourth bedroom to a single-family residence.
3. That the establishment, maintenance and/or conducting of the use (a residence being converted to a 4-bed senior care facility) will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhoods. The Off-Street Parking Exception finding above concludes that this would be considered a reasonable parking accommodation if the project use was restricted to that of adding a fourth bedroom to a single-family residence. Given that the tandem parking within the extended garage would accommodate nursing staff and an additional space exists

within the on-site driveway, the residence's conversion to a senior care facility use is not expected to create a negative impact to the neighborhood, since the proposed on-site parking provisions should minimize any additional off-site parking that may typically occur.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

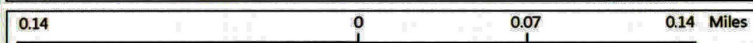
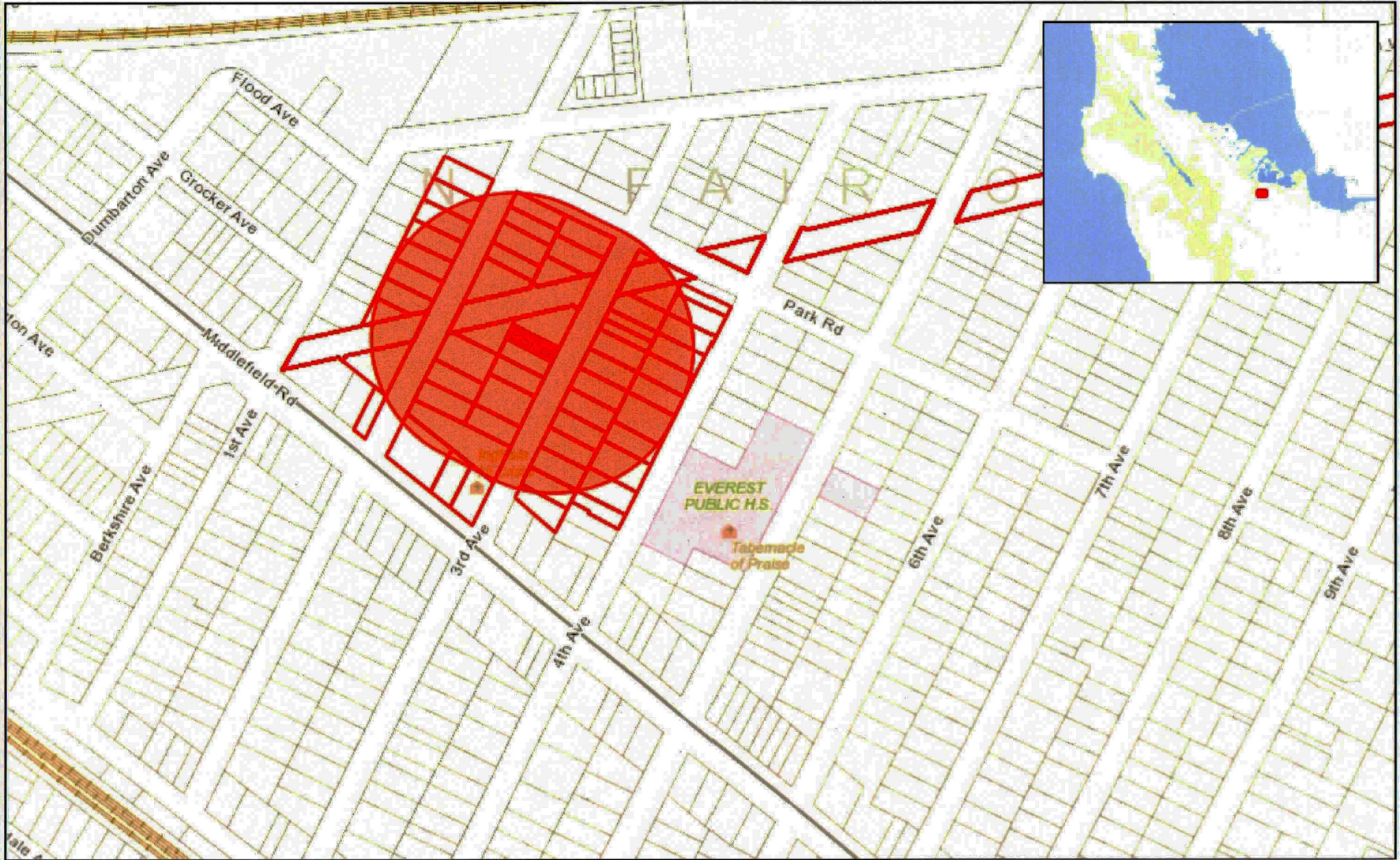
1. This approval is for the project described on the plans and documents submitted to the Planning Department on March 18, 2015 and June 2, 2015. Any revisions to these plans must be submitted to the Planning Department for review and approval prior to implementation. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval. Any other developments on the property will be subject to a separate process.
2. The applicants shall apply for and be issued a building permit and comply with all applicable building code provisions and requirements. The plans shall specifically reflect those approved by the Planning Commission.
3. This permit shall be valid for one year from the date of this approval. If a building permit application has not been submitted within this time period, this permit will expire. An extension of this permit will be considered upon written request and payment of applicable permit extension fees 60 days prior to expiration.
4. During project construction, the applicants shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems by:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering site and obtaining all necessary permits.

- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - h. Performing clearing and earth-moving activities only during dry weather.
 - i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilizing designated access points.
 - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
 - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction Best Management Practices, including, but not limited to, those listed above.
 - m. Additional Best Management Practices (BMPs) in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities and for post-construction site stabilization. Any water leaving the site shall be clear and running slowly at all times.
5. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).
6. No tree cutting is allowed by this permit. Removal of any tree over 12 inches in diameter shall require a separate tree removal permit.

Menlo Park Fire Protection District

7. This project will be reviewed during the building permit phase and shall comply with all Menlo Park Fire Protection District fire code provisions and requirements.

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© Latitude Geographics Group Ltd.

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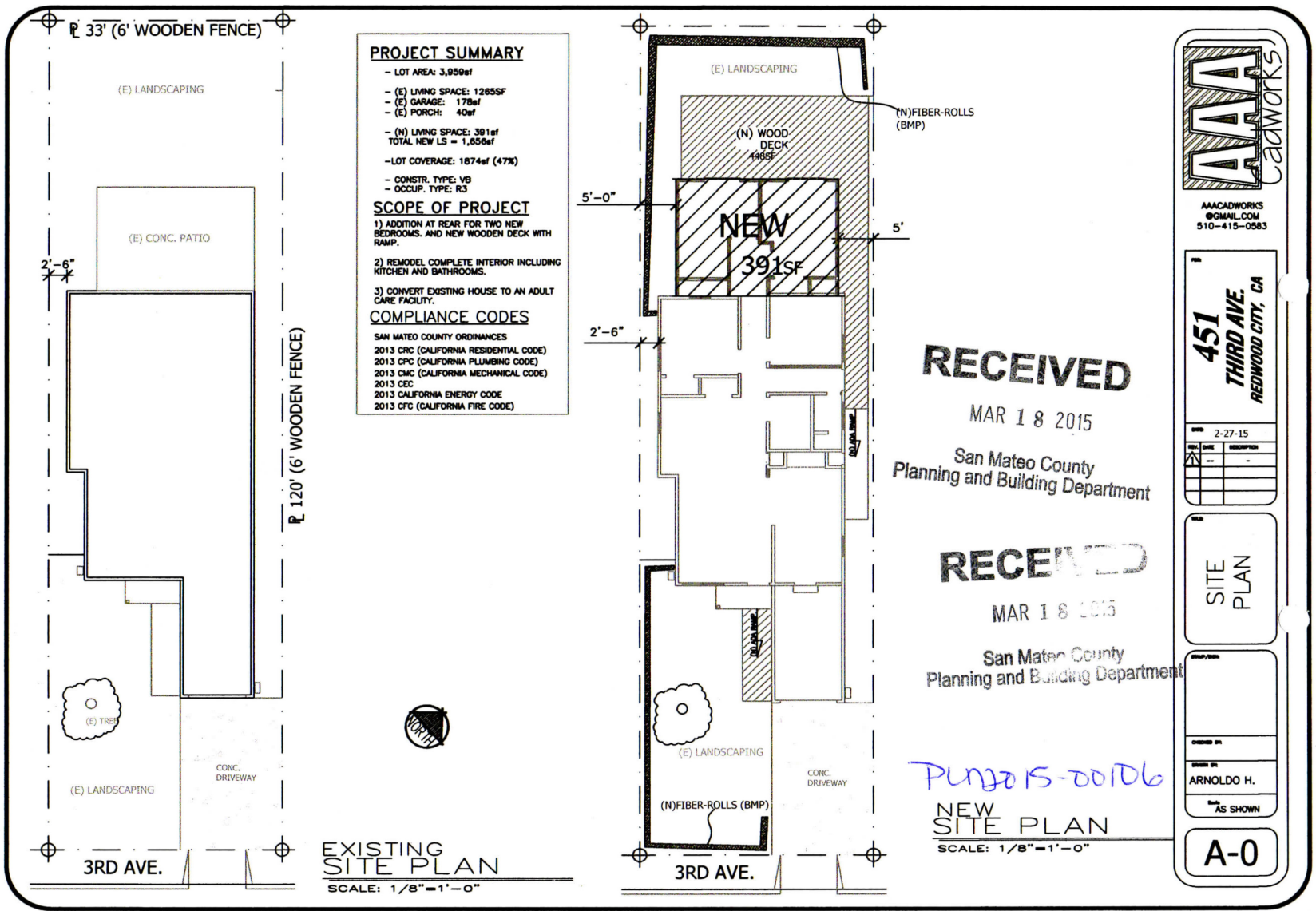
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



PROJECT SUMMARY

- LOT AREA: 3,959sf
- (E) LIVING SPACE: 1265SF
- (E) GARAGE: 178sf
- (E) PORCH: 40sf
- (N) LIVING SPACE: 391sf
- TOTAL NEW LS = 1,656sf
- LOT COVERAGE: 1674sf (47%)
- CONSTR. TYPE: VB
- OCCUP. TYPE: R3

SCOPE OF PROJECT

- 1) ADDITION AT REAR FOR TWO NEW BEDROOMS, AND NEW WOODEN DECK WITH RAMP.
- 2) REMODEL COMPLETE INTERIOR INCLUDING KITCHEN AND BATHROOMS.
- 3) CONVERT EXISTING HOUSE TO AN ADULT CARE FACILITY.

COMPLIANCE CODES

SAN MATEO COUNTY ORDINANCES
 2013 CRC (CALIFORNIA RESIDENTIAL CODE)
 2013 CPC (CALIFORNIA PLUMBING CODE)
 2013 CMC (CALIFORNIA MECHANICAL CODE)
 2013 CEC
 2013 CALIFORNIA ENERGY CODE
 2013 CFC (CALIFORNIA FIRE CODE)

EXISTING SITE PLAN
 SCALE: 1/8" = 1'-0"

NEW SITE PLAN
 SCALE: 1/8" = 1'-0"

RECEIVED
 MAR 18 2015

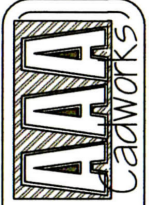
San Mateo County
 Planning and Building Department

RECEIVED
 MAR 18 2015

San Mateo County
 Planning and Building Department

PLN 2015-00106

NEW SITE PLAN
 SCALE: 1/8" = 1'-0"



AAACADWORKS
 @GMAIL.COM
 510-415-0583

451
 THIRD AVE.
 REDWOOD CITY, CA

2-27-15

SITE PLAN

ARNOLDO H.
 AS SHOWN

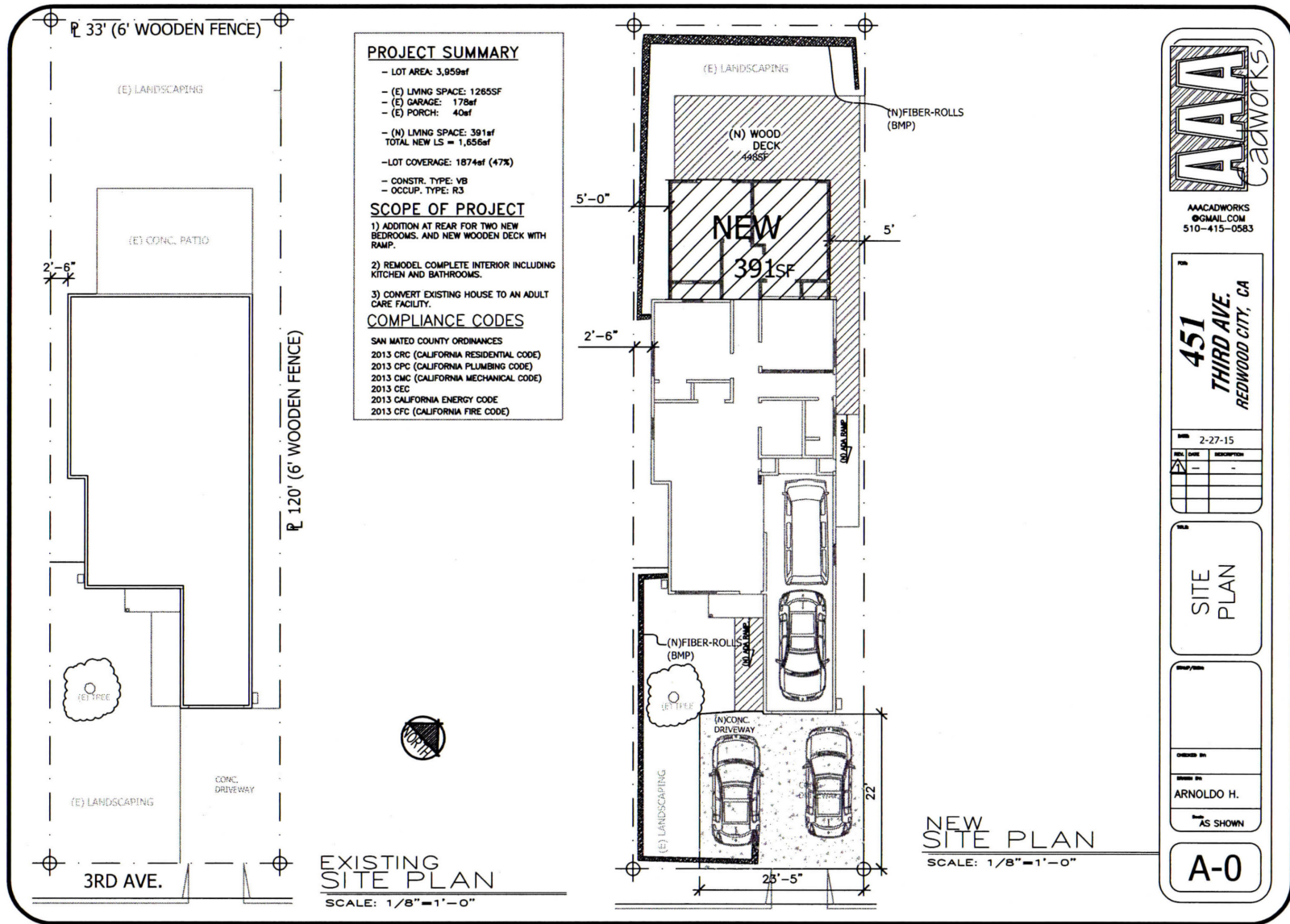
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San Mateo County Planning Commission Meeting

Owner/Applicant: _____

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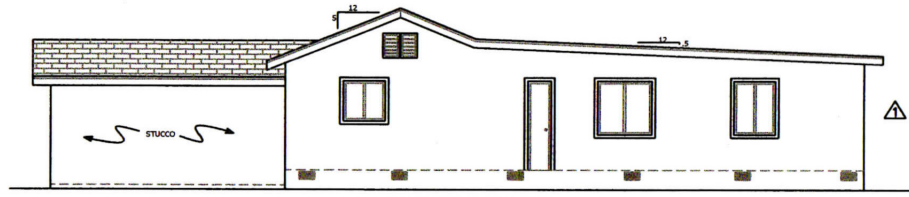
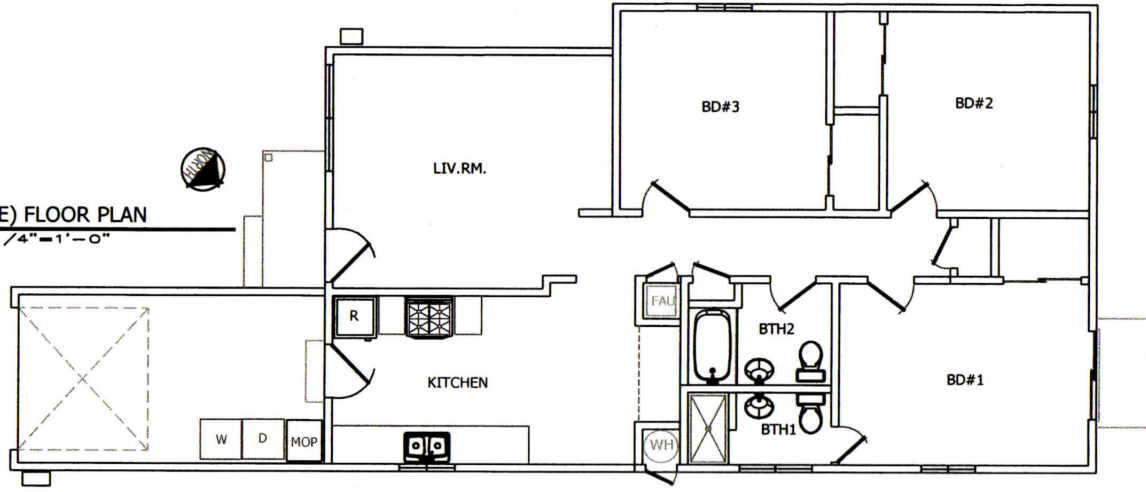
San Mateo County Planning Commission Meeting

Owner/Applicant: _____

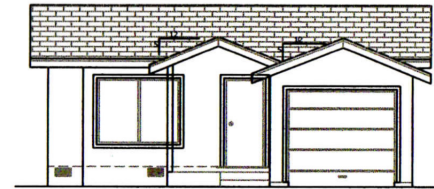
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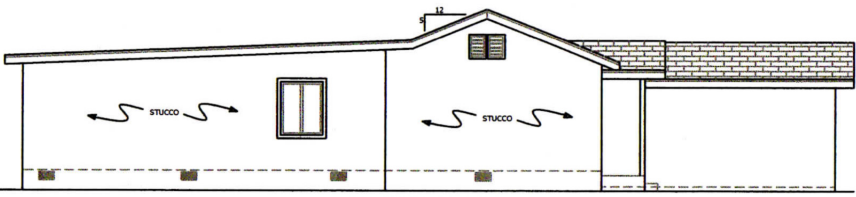
(E) FLOOR PLAN
1/4" = 1'-0"



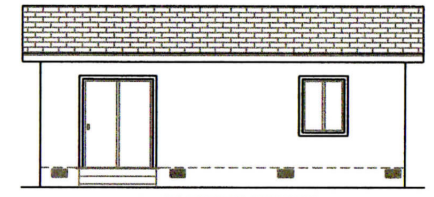
(E) RIGHT ELEVATION
3/16" = 1'-0"



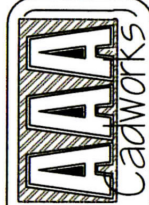
(E) FRONT ELEVATION
3/16" = 1'-0"



(E) LEFT ELEVATION
3/16" = 1'-0"



(E) REAR ELEVATION
3/16" = 1'-0"



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**451
THIRD AVE.
REDWOOD CITY, CA**

2-27-15

(E) FLOOR
PLAN /
ELEVATIONS

ARNOLDO H.
AS SHOWN

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San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



County of San Mateo - Planning and Building Department

ATTACHMENT E

June 3, 2015

Arnoldo Hernandez
1370 Thiel Road
Hayward, CA 94544

Dear Mr. Hernandez:

SUBJECT: Off-Street Parking Exception
451 3rd Avenue, Redwood City
APN 060-056-230; County File No. PLN 2015-00106

This letter is to inform you that your application for an Off-Street Parking Exception to allow one covered parking space where two covered parking spaces are required is hereby denied.

The request for the parking exception is in conjunction with a proposed remodel of the existing 1,265 sq. ft. two-bedroom single-family residence on a 3,950 sq. ft. non-conforming parcel. The request also includes a 391 sq. ft. addition for the construction of two additional bedrooms and one additional bathroom resulting in a four bedroom, two-bath residence. The purpose of adding the bedrooms is to convert the residence into an adult care facility to accommodate up to five ambulatory and non-ambulatory seniors.

The required pre-decision public notice was made on May 22, 2015. Staff received one call from a concerned neighbor regarding the lack of parking in the surrounding neighborhood.

This project was heard at the May 28, 2015 North Fair Oaks Community Council's (NFOCC) public hearing. At the meeting, a neighbor expressed concern about the lack of sufficient parking in the neighborhood. Members of the Council echoed that concern and determined that the request for an exception from parking to allow the construction of a four bedroom single-family residence was not reasonably in compliance with the parking requirements. On a vote of 5-2, the Council recommended that the Planning Department deny the Off-Street Parking request.

FINDINGS OF DENIAL

After reviewing this application and accompanying materials, it was found that:

For the Off-Street Parking Exception

- 1. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements as are reasonably possible.**



The proposal to add two additional bedrooms to an existing two bedroom single-family residence to convert the residence to a senior care facility on a non-conforming parcel (3,950 sq. ft. where 5,000 sq. ft. is the minimum parcel size), while not increasing the required parking, is not in reasonable compliance with the established parking requirements. For this reason, staff is unable to make the required finding.

2. **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.**

Public notification of the proposal has produced two comments from residents in opposition to the granting of the parking exception in this North Fair Oaks neighborhood. Further, the NFOCC has recommended denial of the exception in this case due to the lack of sufficient parking in the neighborhood, and determined that approval of this parking exception would be detrimental to the public welfare in said neighborhood. Staff concurs and, for this reason, is unable to make the required finding.

Any interested party aggrieved by this determination may appeal this decision to the Planning Commission within ten (10) working days from the date of determination. An appeal form accompanied by the applicable filing fee of \$639.83 must be submitted by **5:00 p.m., June 17, 2015**.

If you have any questions, please call the project planner, Tiare Pena, at 650/363-1850 or by email at Tpena@smcgov.org.

To provide feedback, please visit the Department's Customer Survey at the following link: <http://planning.smcgov.org/survey>.

FOR STEVE MONOWITZ
ACTING COMMUNITY DEVELOPMENT DIRECTOR, By:

David Holbrook, Senior Planner

DJH:TGP:jlh – TGPZ0402_WJN.DOCX



County of San Mateo - Planning and Building Department

ATTACHMENT F

July 1, 2015

Arnoldo Hernandez
1370 Thiel Road
Hayward, CA 94544

Dear Mr. Hernandez:

SUBJECT: Off-Street Parking Exception
451 Third Avenue, Redwood City
APN 060-056-230; County File No. PLN 2015-00106

This letter is to inform you that your application for an Off-Street Parking Exception to allow two tandem parking spaces within an enlarged covered garage (where two covered side-by-side parking spaces are required) is hereby denied.

The request for the parking exception was in conjunction with a proposed remodel of the existing 1,265 sq. ft. two-bedroom single-family residence on a 3,950 sq. ft. non-conforming parcel. The request also includes a 391 sq. ft. addition for the construction of two additional bedrooms and one additional bathroom resulting in a four-bedroom, two-bath residence. The purpose of adding the bedrooms is to convert the residence into an adult care facility to accommodate up to five ambulatory and non-ambulatory seniors.

This project was previously heard at the May 28, 2015 North Fair Oaks Community Council's (NFOCC) public hearing. That proposal was to allow one covered parking and one uncovered tandem parking space within the 20-foot front yard setback. At that meeting, a neighbor expressed concern about the lack of sufficient parking in the neighborhood. Members of the NFOCC echoed that concern and determined that the request for an exception from parking to allow the construction of a four-bedroom single-family residence was not reasonably in compliance with the parking requirements. On a vote of 5-2, the NFOCC recommended that the Planning Department deny the Off-Street Parking request.

Staff returned to the North Fair Oaks Community Council on June 25, 2015, with the secondary proposal to extend the existing one-car covered garage further into the residence in order to accommodate a 9'6" x 38' tandem two-car covered parking garage. At that meeting, four neighbors expressed concern about the proposal. Staff received one letter in opposition to the proposal. On a vote of 5-1, the NFOCC recommended that the Planning Department deny the Off-Street Tandem Parking request.



FINDINGS OF DENIAL

After reviewing this application and accompanying materials, it was found that:

For the Off-Street Parking Exception

1. **The establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements as are reasonably possible.**

The proposal to add two additional bedrooms to an existing two-bedroom single-family residence to convert the residence to a senior care facility on a non-conforming parcel (3,950 sq. ft. where 5,000 sq. ft. is the minimum parcel size) without providing an 18' x 19' covered parking garage is not in reasonable compliance with the established parking requirements. For this reason, staff is unable to make the required finding.

2. **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.**

Public notification of the proposal has produced numerous comments from residents in opposition to the granting of the parking exception in this North Fair Oaks neighborhood. Further, the NFOCC has recommended denial of the exception in this case due to the lack of sufficient parking in the neighborhood, and determined that approval of this parking exception would be detrimental to the public welfare in said neighborhood. Staff concurs and, for this reason, is unable to make the required finding.

Any interested party aggrieved by this determination may appeal this decision to the Planning Commission within ten (10) working days from the date of determination. An appeal form accompanied by the applicable filing fee of \$639.83 must be submitted by **5:00 p.m., July 15, 2015.**

If you have any questions, please call the project planner, Tiare Peña, at 650/363-1850 or by email at tpeña@smcgov.org.

To provide feedback, please visit the Department's Customer Survey at the following link: <http://planning.smcgov.org/survey>.

FOR STEVE MONOWITZ
COMMUNITY DEVELOPMENT DIRECTOR, By:

David Holbrook, Senior Planner

DJH:TGP:fc – TGPZ0475_WFN.DOCX



County of San Mateo - Planning and Building Department

ATTACHMENT G

RECEIVED

JUL 15 2015

July 14, 2015

San Mateo County Planning Commission
455 County Center, 2nd Floor
Redwood City, CA 94062

San Mateo County
Planning and Building Department

SUBJECT: 451 Third Avenue, Redwood City

Honorable Commissioners:

This missive is to respectfully file an appeal to the Planning staff's findings of denial (dated July 1, 2015) for the above subject property. The proposed project would add two additional bedrooms to the existing two-bedroom single-family residence to convert the residence to a senior-care facility with a request for an off-street parking exception as the property presently has a one-car garage.

Planning staff determined in its findings of denial that the subject property is on a non-conforming parcel (3,950 sq. where 5,000 sq. is the minimum parcel size) and would require an 18' x 19' covered two-car parking garage and found that the proposed project is not in reasonable compliance with the established parking requirements of the Planning Code. Therefore, the Planning staff is unable to make the required finding of approval for the requested off-street parking exception.

In addition, the North Fair Oaks Community Council (NFOCC) reviewed the proposed project and expressed opposition to the granting of the off-street parking exception because of their assessment that there exists a lack of sufficient street parking in the neighborhood and determined that approval of the off-street parking exception would be detrimental to the public welfare in the neighborhood. Planning staff concurred with the NFOCC's determination and was unable to make the required finding of approval for the requested off-street parking exception.

The subject property was purchased for the specific intent to convert it into a senior-care non-ambulatory facility to provide care for four (4) elderly residents. Funding for the operation of this senior-care facility will in part be provided by the Golden Gate Regional Center (GGRC) of San Mateo, which is a nonprofit private corporation that contracts with the State Department of Developmental Services to provide services and support for individuals with developmental disabilities. Incidentally, the GGRC gave its assent and approval to purchase the property for the intended purpose of converting it into a senior-care facility with the determination that it would qualify under its funding requirements.

We requested the off-street parking exception due to the low-intensity use of the proposed project however, given the findings of denial based upon the off-street parking requirements and the NFOCC's opposition to the granting of the off-street parking exception, we are proposing to amend the project to provide off-street covered tandem parking for two (2) automobiles within the confines of the parcel while maintaining the required property setbacks pursuant to the Planning Code. This will require us to substantially alter the existing structure to accommodate the needed space for the additional off-street covered parking space. To insure that the limited street parking will not be further exacerbated by the proposed project, the two (2) nursing staff for the senior-care facility will be required to park their automobiles inside the garage, which

will provide additional off-street parking on the driveway for visitors. There is adequate space on the driveway to park one additional automobile without impeding the sidewalk, and we could also provide an additional parking space adjacent to the driveway while still maintaining an adequate front yard, although this would further increase the project cost that would be in addition to the already significant increase in cost by providing the off-street covered tandem parking.

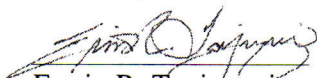
We believe that the proposed senior-care facility provides a much-needed amenity not only for the local community but the Bay Area region as well. Further, we believe that the proposed senior-care facility will enhance the North Fair Oaks community with a fully renovated property serving the needs of the least served segment of our communities. Redwood City's Strategic Plan for 2015 recites as its mission, "The building of a great community together," and two of the six initiatives include "Community Building and Communication" and "Community for all ages." We believe that the proposed project positively contributes and is well in keeping with the City's Strategic Plan and its initiatives to help provide necessary services for our seniors by creating a community for all ages in a true private and public partnership to further the goals and public policies of the City. The proposed project would also provide the City with increased tax revenues for the newly renovated property.

We are sensitive to and appreciate the sentiments of the NFOCC and your Planning staff and we believe that our amended proposal to provide off-street covered tandem parking for two (2) automobiles address their stated concerns and would comply substantially to the Planning Code's parking requirements. We believe this would alleviate the concern that the granting of the off-street parking exception would be "detrimental to the public welfare to the neighborhood." In fact, the proposed amended project would provide an additional covered parking space that did not exist before to serve a low-intensity use that does not have a high parking demand.

We thank you for your favorable consideration of our appeal and compliment your Planning staff for their kind assistance and high professionalism in this proposed project, in particular the planner assigned Ms. Tiare Pena. We are appreciative of the staff's time and resources devoted to our project. Lastly, our goal is to be not only a good neighbor, but also a great neighbor to the North Fair Oaks community.

Our team is available to meet and confer if you have further questions or need additional information about the proposed project. I represent the project applicant as their planning and development consultant. My cellular telephone is (415) 515-3244 and I am available to field questions and provide information. We look forward to the positive and mutually beneficial resolution to this matter.

Sincerely,


Erwin R. Tanjuaquio



County of San Mateo - Planning and Building Department

ATTACHMENT H

Project Address: 451 3rd. Ave., Redwood City

OFF-STREET PARKING EXCEPTION -----SUPPORTING STATEMENTS

- 1) ADDITION WILL BE SOLELY AT THE REAR OF THE PROPERTY TO ADD 2 BEDROOMS (1 NEW BEDROOM TOTAL) AND REMODEL. WITH A 16" HIGH WOODEN DECK AT REAR OF ADDITION.
- 2) NO CHANGES ARE PROPOSED TO THE FRONT OF THE HOUSE OTHER THAN AN ADA RAMP FOR WHEELCHAIRS SINCE THE HOUSE WILL BE CONVERTED TO AN ADULT CARE FACILITY.
- 3) WE CAN'T PROVIDE ANY MORE PARKING BECAUSE THE LOT IS ALREADY BUILT TO THE LIMIT AND THE LOT HAS MANY CONSTRAINTS LIKE FOR EXAMPLE IT'S ONLY 33' WIDE, WHICH WON'T PERMIT FOR A NEW 2 CAR (SIDE BY SIDE) GARAGE.
- 4) THE NEIGHBORHOOD WILL NOT REALLY BE AFFECTED BY THE PROPOSED PROJECT SINCE IT'S ALREADY REALLY OVER CROWDED WITH CARS AND SMALL GARAGES WITH THE SAME SITUATION. PLUS KEEP IN MIND THAT SINCE WILL BE AN ADULT CARE FACILITY THERE WILL ONLY BE ONE OR TWO CARS TOTAL FOR THIS PROPERTY SINCE THE PATIENTS DON'T DRIVE. THE ONLY PEOPLE THAT CAN BRING AND PARK CARS ON THIS PROPERTY WILL BE THE USUAL TWO (2) NURSES THAT WILL BE AT THE HOUSE. SO TWO CARS AT THE MOST.