

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

**DATE:** February 28, 2018

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of (1) a General Plan Map Amendment changing the land use designation of one parcel from Multi-Family Residential to Commercial Mixed-Use and (2) a Zoning Map Amendment to rezone the same parcel 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.

County File Number: PLN 2015-00512  
(Brogno/Darrck Pearl Investments LLC)

**PROPOSAL**

**History**

This project was heard before 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 larger North Fair Oaks rezoning was still being conducted. The Board of Supervisors has since adopted the new zoning district. The project scope outlined below is unchanged from the Planning Commission public hearing on May 24, 2017.

**Proposal**

Request to amend the Zoning and General Plan maps for one parcel located at 3295 El Camino Real, to rezone a portion of the parcel currently zoned R-2/S-50 to CMU-1 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.

## **RECOMMENDATION**

1. Recommend to the Board of Supervisors that it approve the proposed General Plan Land Use Map Amendment and Zoning Map Amendment.
2. Recommend to the Board of Supervisors that it adopt a resolution to amend 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.
3. Recommend to the Board of Supervisors that it 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.
4. Recommend to the Board of Supervisors that it adopt the Mitigated Negative Declaration by adopting the required findings and conditions of approval.

## **SUMMARY**

General Plan: The rezone and development are consistent with General Plan Visual Quality, Urban Land Use, and Transportation polices. Secure bicycle parking to serve the existing commercial building and parking lot is compliant with policies regulating minimum on-site parking needed for the existing commercial building which currently does not have any on-site parking. The parking lot will utilize permeable pavers, wood fence screening, and bioretention areas.

North Fair Oaks Community Plan: The North Fair Oaks Community Plan encourages mixed-used development along major commercial corridors and the redevelopment of underutilized and vacant land. Rezoning of the rear portion allows for the construction of needed off-street parking prohibited under current zoning.

Zoning Regulations: The rezone will correct a split-zoned parcel into one zone and general plan designation. The CMU-1 District allows for greater density compared to the existing two-family residential zoning district.

Major Development Pre-Application Workshop and North Fair Oaks Community Council Meeting: As a requirement for land use designation change and rezoning proposals, a public workshop was held during the January 28, 2016, North Fair Oaks Community Council meeting; the project was considered at a subsequent meeting on August, 25, 2016. Concerns from the public at the workshop centered on the loss of residentially zoned property, the encroachment of commercial uses into residential areas, and parking and traffic impacts to residents.

Environmental Review: A Mitigated Negative Declaration was circulated for the project.  
No comments were received.

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**COUNTY OF SAN MATEO  
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**DATE:** February 28, 2018

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**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.

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**PROPOSAL**

**History**

This project was heard before 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 larger North Fair Oaks rezoning was still being conducted (see Attachment K, Community Development Director's report summarizing the Planning Commission's recommendation on June 14, 2017). The Board of Supervisors has since adopted the new zoning district. The project scope outlined below is unchanged from the Planning Commission public hearing on May 24, 2017.

**Proposal**

The applicant is requesting approval to amend the Zoning and General Plan maps, to rezone a portion of a 22,696 sq. ft. parcel currently zoned R-2/S-50 (Two-Family Residential) and CMU-1 (Commercial Mixed Use-1) located at 3295 El Camino Real. The parcel is split zoned with the commercial portion abutting El Camino Real and the residential portion facing Amherst Avenue. The commercial portion is developed with an office building and the residential portion is undeveloped but has historically been used as a parking lot serving the commercial use. The use of the residentially zoned portion as a parking lot is a non-conforming use because of its current residential zoning designation; 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 10,900 sq. ft. office building which currently has insufficient off-street parking for its designated use. Minimum site grading is proposed for parking lot construction. A total of five (5) significant trees are located within the parking lot footprint. Two trees are proposed for removal (one 28-30-inch dbh redwood; one 14.8-inch dbh Valley oak) and three trees will remain and have been incorporated into the parking lot design (44.9-inch dbh, 31.9-inch dbh, and 25.7-inch dbh Coast live oaks). The parking lot will be constructed using permeable pavers and concrete. Additionally, the proposal includes a trash enclosure with a wood fence and security gate around the parking lot perimeter.

### **RECOMMENDATION**

1. Recommend to the Board of Supervisors that it approve the proposed General Plan Land Use Map Amendment and Zoning Map Amendment.
2. Recommend to the Board of Supervisors that it adopt a resolution to amend 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.
3. Recommend to the Board of Supervisors that it 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.
4. Recommend to the Board of Supervisors that it adopt the Mitigated Negative Declaration by adopting the required findings and conditions of approval.

### **BACKGROUND**

Report Prepared By: Bryan R. Albin, Project Planner, Telephone 650/363-1807

Applicant: Ken Brogno

Owner: Darck Pearl Investments, LLC

Location: 3295 El Camino Real, Redwood City

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

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: City of 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.

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. Refer to Section A.7., below for further discussion.

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 Mitigated Negative Declaration was 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 PC.
- September 2017 - Applicant meets with the Community Development Director and requests to bring the item back before the Planning Commission once the Re-zoning 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, 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

## **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 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 space, 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 polices 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 residential 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-foot tall wood fence with matching sliding wooden gates, typical of fencing found within residential areas, is proposed along the northeast and southeast property line for security (to minimize loitering and use of the lot after business hours) as well as to provide screening to the residential properties to minimize the visual impacts of the parking lot and reduce light and glare from cars onto adjacent residences. 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 (28-30-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 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 is 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 Street). The property line

facing Amherst Street 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-foot rear setback on structures up to 40 ft. in height, and 27-foot rear setback for portions of the building above 40 ft., from the residentially zoned property located on Amherst Street, 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 over-reliance 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 provide a greater opportunity to accommodate future mixed-use development to the land use densities identifies 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 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, provide sufficient parking to support future development without creating significant excess supply, and reduce 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 2A which promotes additional multi-family housing by encouraging and permitting increased densities in mixed-used 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. Compliance 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.

<b>Development Standard</b>	<b>R-2/S-50 Residential Uses</b>	<b>CMU-1 Commercial/Residential Mixed-Use</b>
Minimum Parcel Size	5,000 sq. ft.	5,000 sq. ft.
Minimum Front Setback	20 feet	0 feet up to 10 feet max.
Minimum Rear Setback	20 feet	15 feet up to 40 feet of building height / 27 feet above 40 feet of building height
Minimum Street Side Setback	10 feet	N/A
Minimum Interior Side Setback	5 feet	0 feet
Max. Bldg. Height	28 feet	Residential: 50 feet Commercial: 60 feet Institutional: 60 feet Mixed-Use: 60 feet
Max. Lot Coverage	50% (11,348 sq. ft.)	N/A

<b>Development Standard</b>	<b>R-2/S-50 Residential Uses</b>	<b>CMU-1 Commercial/Residential Mixed-Use</b>
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.

<b>Uses List Comparison</b>	
<b>Existing Zoning District: R-2/S-50</b>	<b>Proposed Zoning District: CMU-1</b>
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.

Uses List Comparison	
Existing Zoning District: R-2/S-50	Proposed Zoning District: CMU-1
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.

6. Rezone and Potential Development

Should the rezone not be approved, the residentially zoned property will continue to be zoned for two (2) residential units or other uses as identified in the Use 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 construction 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.

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 project 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. Allowing the land use and

zoning designation of the undeveloped rear portion of the property to match the developed portion along El Camino Real, would allow greater use of the existing commercial building, while improving the existing parking non-conformity by accommodating parking spaces that is prohibited under the current residential zoning designation.

B. ENVIRONMENTAL REVIEW

An Initial Study was completed and a 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 Negative Declaration.

C. REVIEWING AGENCIES

Building Department  
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

**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. Draft Resolution Amending the San Mateo County General Plan Land Use Map
- J. Draft Ordinance Amending Chapter 2 Of Division VI Of The San Mateo County Ordinance Code (Zoning Annex).
- K. Community Development Director’s Report – June 14, 2017

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2015-00512      Hearing Date: February 28, 2018

Prepared By: Bryan Albini  
Project Planner

For Adoption By: Planning Commission

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That the Planning Commission does hereby find that this Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
2. That the Mitigated Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
3. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.
4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the applicant and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the General Plan Map Amendment, Find:

5. That the General Plan Land Use Map Amendment is compatible with adjacent land uses and will not be in conflict with the policies of the General Plan as discussed in this staff report.
6. That the Planning Commission recommends to the Board of Supervisors to adopt a resolution to amend 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.

Regarding the Zoning Map Amendment, Find:

7. 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 used development along a transportation corridor.
8. That the Planning Commission recommends to the Board of Supervisors that it 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 one portion of the parcel from "R-2/S-50" to "CMU-1," in the unincorporated North Fair Oaks area.

**RECOMMENDED CONDITIONS OF APPROVAL**

Current Planning Section

1. The approval applies only to the proposal as described in this report and materials submitted for review and final approval by the Board of Supervisors. The Community Development Director may approve minor revisions or modifications to the project if they are found to be consistent with the intent of and in substantial conformance with this approval.

Mitigation Measures

2. **Mitigation Measure 1:** The applicant shall implement the following dust control measures during grading and construction activities:
  - a. Water all active construction and grading areas at least twice daily.
  - b. Cover all truck hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
  - c. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at the project site.
  - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets/roads.
  - e. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
3. **Mitigation Measure 2:** Prior to commencement of the project, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff

and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- a. Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
- b. Minimize the area of bare soil exposed at one time (phased grading).
- c. Clear only areas essential for project activities.
- d. Within five days of clearing or inactivity, stabilize bare soils through either non-vegetative BMPs (Best Management Practice), such as mulching, or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- e. Project site entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- f. Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- g. Soil and/or other construction-related material stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- h. Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- i. Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- j. Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
- k. Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).

- l. Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5-acre or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion resistant species.
  - m. Utilize coir fabric/netting on sloped graded areas to provide a reduction in water velocity, erosive areas, habitat protection, and topsoil stabilization.
  - n. Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved Erosion Control Plan.
4. **Mitigation Measure 3:** The applicant shall implement the following basic construction measures at all times:
- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
  - b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
  - c. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
5. **Mitigation Measure 4:** All grading and construction activities associated with the proposed project shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction activities will be prohibited on Sunday and any nationally observed holiday. Noise levels produced by construction activities shall not exceed the 80-dBA level at any one moment.

#### Tree Protection

- 6. Tree protection zones should be established and maintained throughout the entire length of the project.
  - a. Fencing for the protection zones should be 4-foot orange plastic type fencing supported by metal stakes pounded into the ground. The support poles should be spaced no more than 10 feet apart on center.

- b. The location for the protection fencing should be as close to the dripline as possible still allowing room for construction to safely continue.
  - c. Signs should be placed on fencing signifying “Tree Protection Zone – Keep Out”. No materials or equipment should be stored or cleaned inside the tree protection zones.
7. Trenching for irrigation, electrical, drainage or any other reason should be hand dug when beneath the driplines of protected trees. Hand digging and carefully laying pipes below or beside protected roots will dramatically reduce root loss of desired trees thus reducing trauma to the entire tree.
- a. Trenches should be backfilled as soon as possible with native material and compacted to near its original level.
  - b. Trenches that must be left exposed for a period of time should also be covered with layers of burlap or straw wattle and kept moist. Plywood over the top of the trench will also help protect exposed roots below.
8. All tree protection must be in place prior to the start of any demolition. Demolition equipment will access the property from the existing driveway. If demolition equipment is to stray off the existing driveway, 6 inches of chips covered with steel plates or plywood will be installed beneath protected trees driplines.
9. Normal irrigation should be maintained throughout the entire length of the project. The native oaks should not require irrigation unless their root zones are traumatized. If root damage were to occur some irrigation may be required during the winter months depending on the seasonal rainfall. During the summer months the trees on this site should receive heavy flood type irrigation twice a month. During the fall and winter once a month should suffice. Mulching the root zone of protected trees will help the soil retain moisture, thus reducing water consumption.

### Stormwater C.3 Conditions

10. The applicant shall prepare a Stormwater Management Plan (SWMP) that includes, at a minimum, exhibit(s) showing drainage areas and location of Low Impact Development (LID) treatment measures; project watershed; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; hydromodification management measures and calculations, if applicable; Natural Resources Conservation Service (NRCS) soil type; saturated hydraulic conductivity rate(s) at relevant locations or hydrologic soil type (A, B, C or D) and source of information; elevation of high seasonal groundwater table; a brief summary of how the project is complying with Provision C.3 of the Municipal Regional Permit (MRP); and detailed Maintenance Plan(s) for each site design, source control and treatment measure requiring maintenance.

11. Low Impact Development treatment measures to be shown on final improvement or grading plans shall not differ materially from the LID treatment measures presented on the project, approved on (to be determined), without written approval from the Planning Department.
12. Project shall comply with all requirements of the Municipal Regional Stormwater NPDES Permit Provision C.3. Please refer to the San Mateo Countywide Water Pollution Prevention Program's (SMCWPPP) C.3 Stormwater Technical Guidance Manual for assistance in implementing LID measures at the site:  
[www.flowstobay.org/newdevelopment](http://www.flowstobay.org/newdevelopment).
13. Treatment controls shall be designed and sized to treat runoff from the entire redevelopment project (including all existing, new, and/or replaced impervious areas) using flow or volume based sizing criteria specified in Provision C.3.d of the Municipal Regional Stormwater Permit.
14. Treatment controls shall be designed and sized to treat runoff from new and/or replaced impervious areas only.
15. Biotreatment measures (including bioretention areas, flow-through planters and non-proprietary tree well filters) shall be sized to treat runoff from 100% of the applicable drainage area (all impervious areas and applicable landscaped areas) using flow or volume based sizing criteria as described in the Provision C.3.d of the MRP, or using the simplified sizing method (4% rule of thumb), described in the C.3 Technical Guidance and based on the flow-based sizing criteria in Provision C.3.d.i.(2)(c).
16. Plant species used within the biotreatment measure area shall be consistent with Appendix A of the C.3 Technical Guidance.
17. Biotreatment soil mix for biotreatment measures shall have a minimum percolation rate of 5 inches per hour and a maximum percolation rate of 10 inches per hour, and shall be in conformance with Attachment L of the MRP, which is included in Appendix K of the C.3 Technical Guidance.
18. Design of biotreatment measures shall be consistent with technical guidance for the applicable type of biotreatment measure provided in Chapter 6 of the C.3 Technical Guidance.
19. Prior to the final of the building permit for the project, the property owner shall coordinate with the Project Planner to enter into an Operation and Maintenance Agreement (O&M Agreement) with the County (executed by the Community Development Director) to ensure long-term maintenance and servicing by the property owner of stormwater site design and treatment control measures according the approved Maintenance Plan(s), for the life of the project. The O&M Agreement shall provide County access to the property for inspection. The Maintenance Agreement(s) shall be recorded for the property.



20. Property owner shall be responsible for conducting all servicing and maintenance as described and required by the treatment measure(s) Maintenance Plan(s). Maintenance of all site design and treatment control measures shall be the owner's responsibility.
21. The property owner is responsible for submitting an Annual Report accompanied by a review fee to the County by December 31 of each year, as required by the O&M Agreement. The property owner is also responsible for the payment of an inspection fee for County inspections of the stormwater facility, conducted as required by the NPDES Municipal Regional Permit.
22. Approved Maintenance Plan(s) shall be kept on-site and made readily available to maintenance crews. Maintenance Plan(s) shall be strictly adhered to. Site access shall be granted to representatives of the County, the San Mateo County Mosquito and Vector Control District, and the Water Board, at any time, for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems. A statement to that effect shall be made a part of the Maintenance Agreement recorded for the property.
23. Property owner shall be required to pay for all County inspections of installed stormwater treatment systems as required by the Regional Water Quality Control Board or the County.

#### Department of Public Works

24. Prior to the issuance of the Building permit or Planning permit (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.
25. Prior to the issuance of the BLD permit or PLN permit (if applicable), the applicant shall submit a driveway "Plan and Profile", to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.

26. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.
27. Prior to the issuance of the Building Permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.
28. The applicant shall install a new sidewalk along the property line from El Camino Real along Amherst (approximately 250 feet) in conformance with county standards.
29. The applicant shall submit hydrology and hydraulic calculations for stormwater detention (C-4.2).
30. The applicant shall revise the construction entrance from 3"-6" rock to 2"-3" rock (C-6).

#### Building Department

31. The applicant shall provide a designated parking space for any combination of low-emitting, fuel-efficient, and carpool/vanpool vehicle with at stall marked as required per CALGreen Section 5.106.5.2.
32. The applicant shall provide both long term and short term bicycle parking per CALGreen Section 5.106.4.

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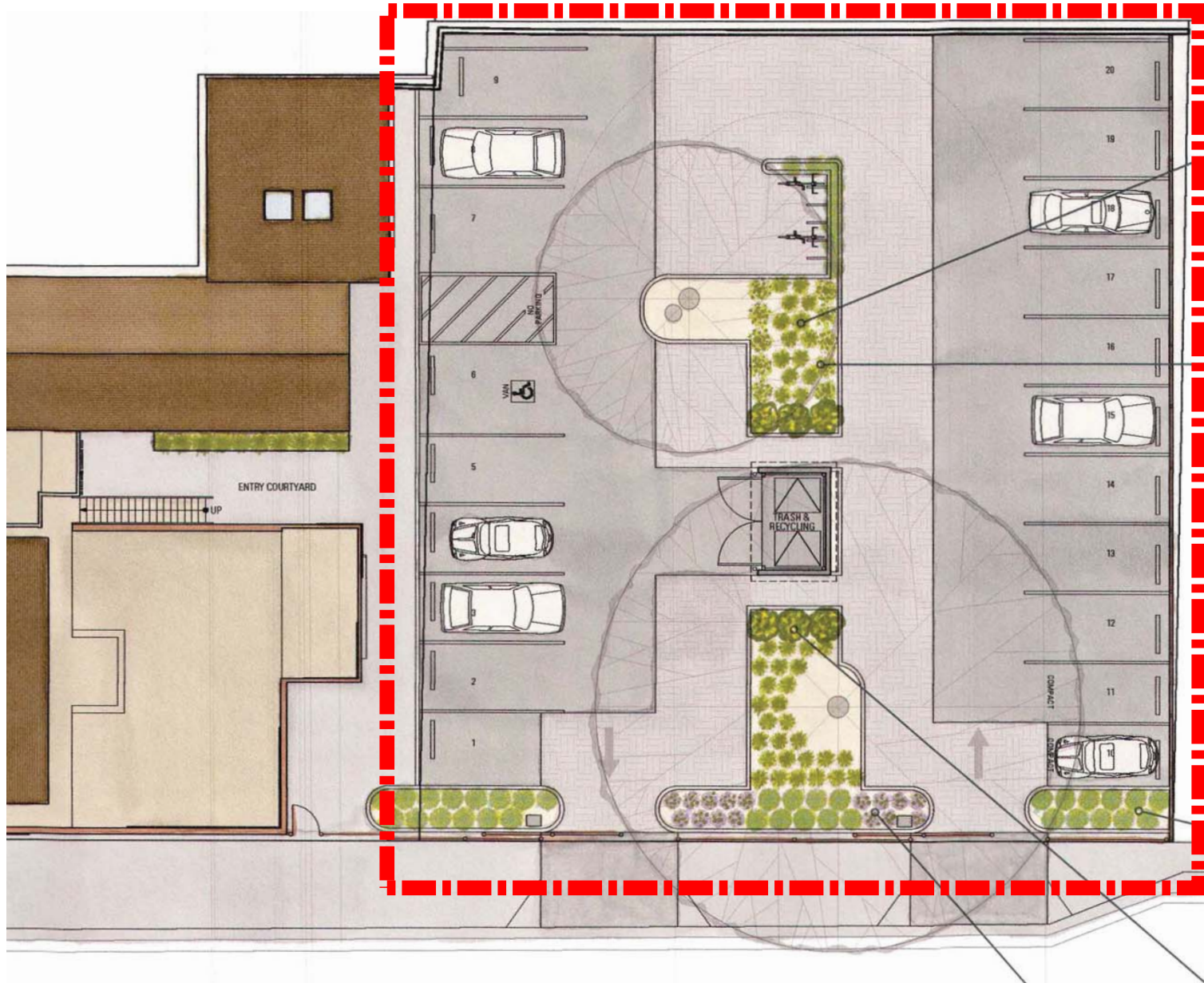
**San Mateo County Planning Commission Meeting**

Owner/Applicant:

Attachment:

File Numbers:





## San Mateo County Planning Commission Meeting

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

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

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

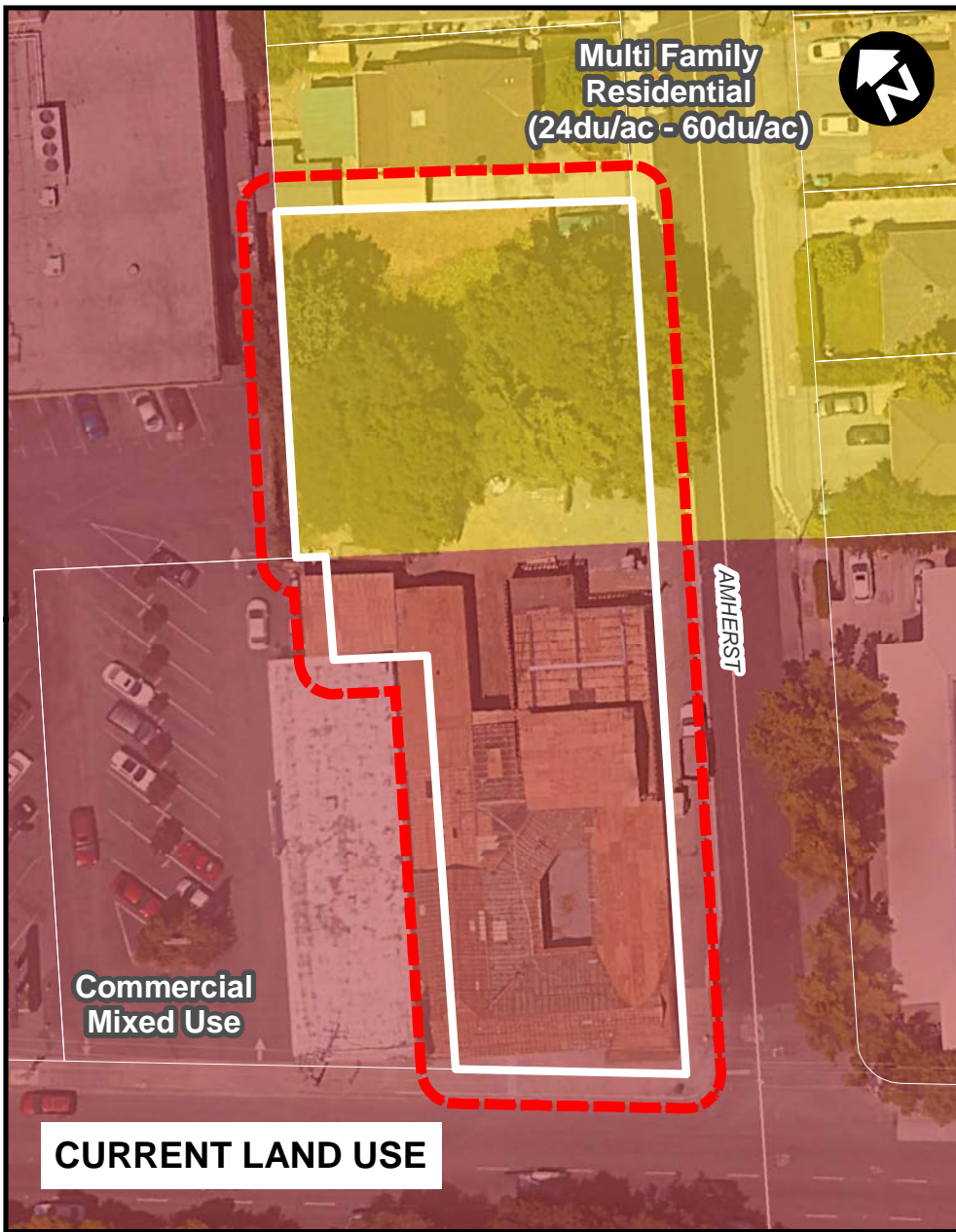


***San Mateo County Planning Commission Meeting***

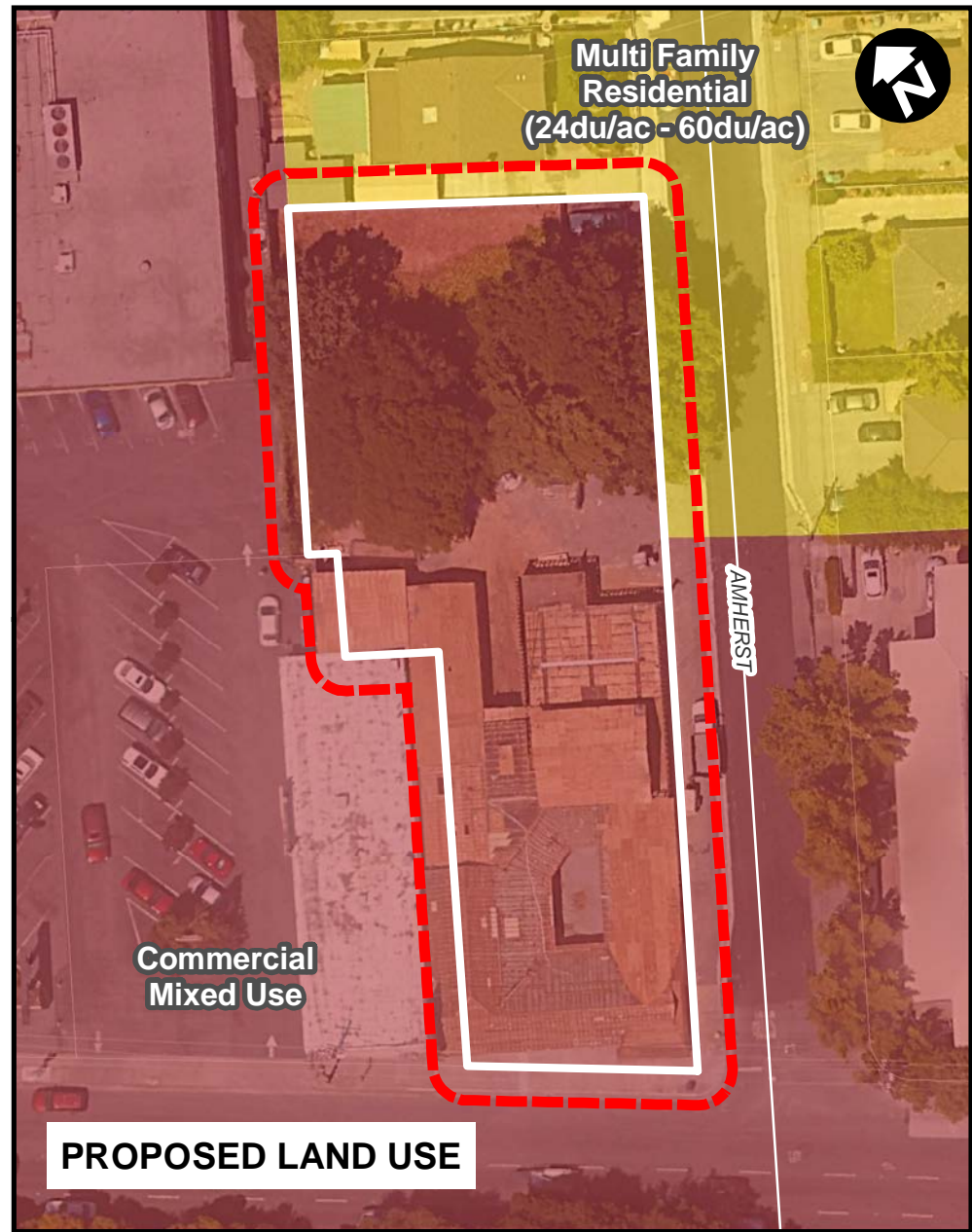
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**CURRENT LAND USE**



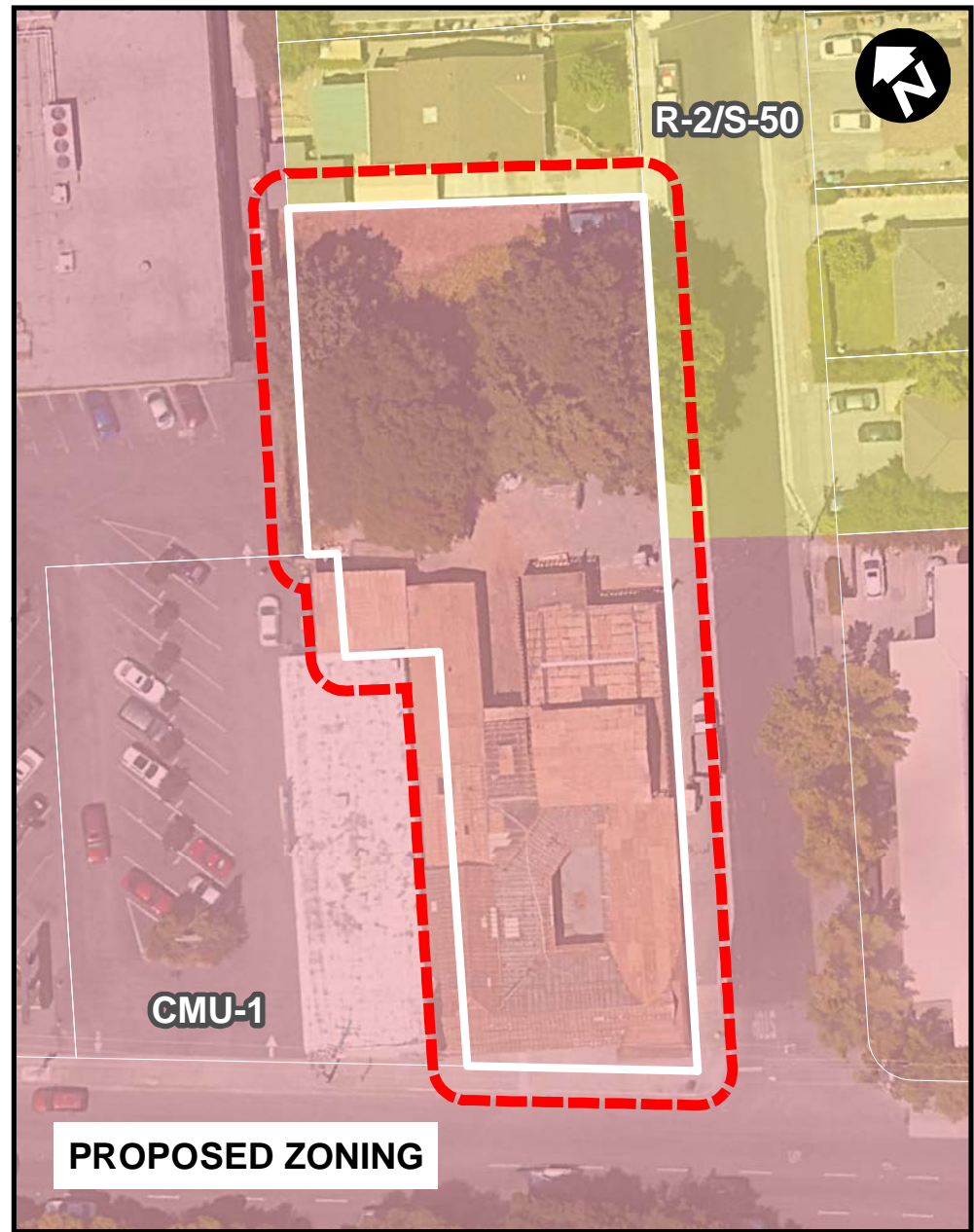
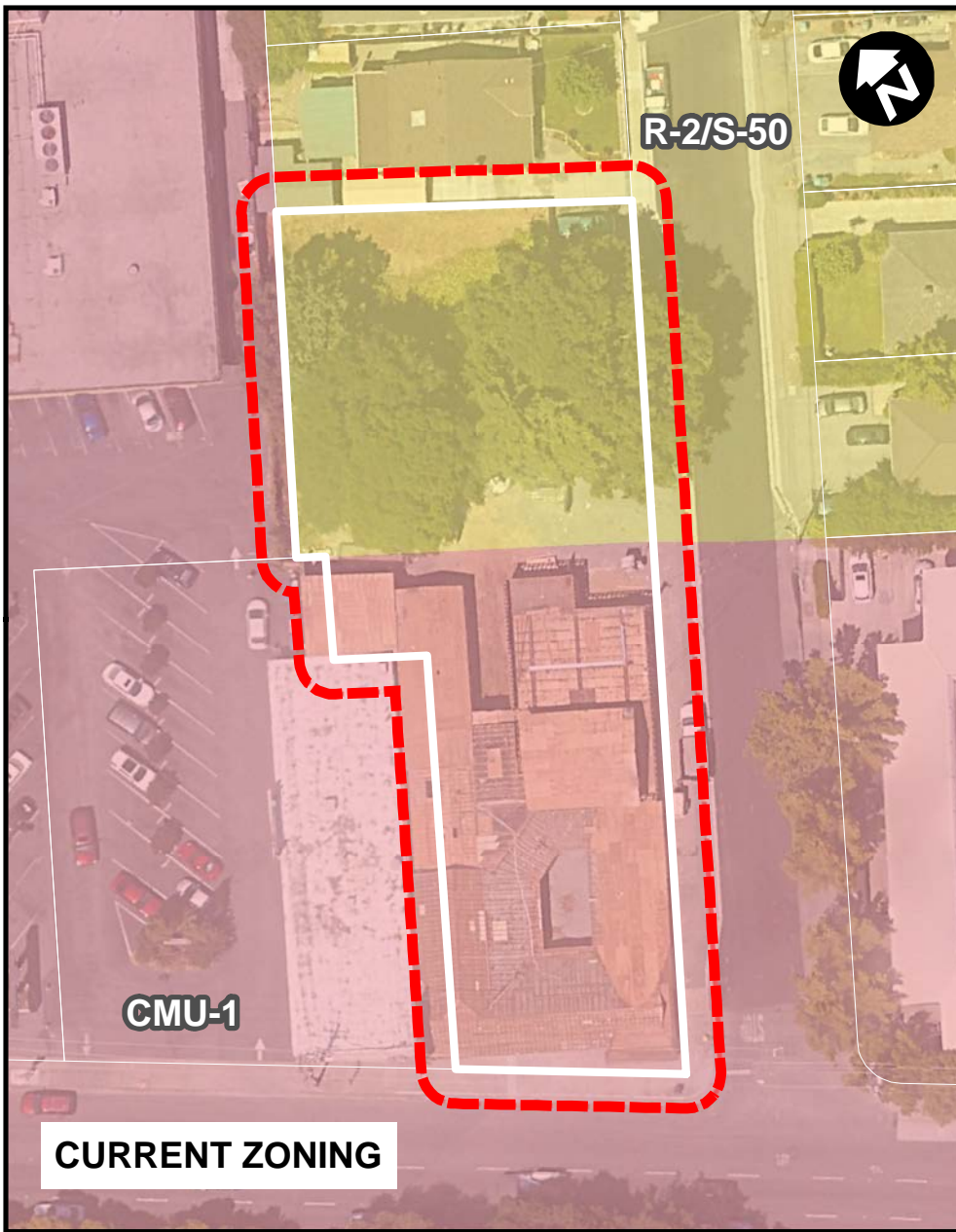
**PROPOSED LAND USE**

**San Mateo County Planning Commission Meeting**

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

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



**San Mateo County Planning Commission Meeting**

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

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

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



**NOTICE OF INTENT TO ADOPT  
MITIGATED NEGATIVE DECLARATION**

**ATTACHMENT: E**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Re-Zone, General Plan Amendment and Lot Merger, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN 2015-00512

OWNER: DARCK PEARL INVESTMENTS LLC  
2000 Broadway Street, Suite 150  
Redwood City, CA 94063

**POSTING  
ONLY**

APPLICANT: KEN BROGNO  
101 Montgomery Street, Suite, #65  
San Francisco, CA 94104

**AUG 16 2016  
BESZ DE LA VEGA**

ASSESSOR'S PARCEL NOS.: 068-281-220, 068-281-210

LOCATION: 3295 El Camino Real, Redwood City

PROJECT DESCRIPTION

Re-Zone the vacant parcel from Two-Family Residential District to General Commercial District and amend the General Plan designation from Multi-Family Residential to Commercial Mixed-Use for merger with the adjacent developed General Commercial District zoned parcel which is currently developed with an existing 10,877 sq. ft. office building, to allow for the construction of a 20-space surface parking lot. The newly merged lot will allow the development of a parking lot to serve the existing office building, which has insufficient off-street parking spaces for its current use. Removal of two significant trees (30 in. diameter Valley Oak and 28-38 in. diameter Redwood), upon arborist recommendation, and site grading proposed in conformance with county parking design criteria and stormwater detention requirements.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:

- a. Create impacts which have the potential to degrade the quality of the environment.
- b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
- c. Create impacts for a project which are individually limited, but cumulatively considerable.
- d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

**Mitigation Measure 1:** The applicant shall implement the following dust control measures during grading and construction activities:

- (1) Water all active construction and grading areas at least twice daily.
- (2) Cover all truck hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- (3) Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at the project site.
- (4) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets/roads.
- (5) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

**Mitigation Measure 2:** Prior to commencement of the project, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- (1) Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.

- (2) Minimize the area of bare soil exposed at one time (phased grading).
- (3) Clear only areas essential for project activities.
- (4) Within five days of clearing or inactivity, stabilize bare soils through either non-vegetative BMPs, such as mulching, or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- (5) Project site entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- (6) Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- (7) Soil and/or other construction-related materials stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- (8) Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- (9) Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- (10) Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
- (11) Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).
- (12) Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acres or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.
- (13) Utilize coir fabric/netting on sloped graded areas to provide a reduction in water velocity, erosive areas, habitat protection, and topsoil stabilization.
- (14) Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved Erosion Control Plan.

**Mitigation Measure 3:** The applicant shall implement the following basic construction measures at all times:

- (1) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- (2) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- (3) Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**Mitigation Measure 4:** All grading and construction activities associated with the proposed project shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction activities will be prohibited on Sunday and any nationally observed holiday. Noise levels produced by construction activities shall not exceed the 80-dBA level at any one moment.

#### RESPONSIBLE AGENCY CONSULTATION

County of San Mateo

#### INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: August 15, 2016 to September 6, 2016

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., September 6, 2016**.

#### CONTACT PERSON

Bryan Albini  
Project Planner, 650/363-1807  
[balbini@smcgov.org](mailto:balbini@smcgov.org)



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Bryan Albini, Project Planner

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County of San Mateo  
Planning and Building Department

**INITIAL STUDY  
ENVIRONMENTAL EVALUATION CHECKLIST**  
(To Be Completed by Planning Department)

1. **Project Title:** General Plan Amendment, Re-Zoning
2. **County File Number:** PLN 2015-00512
3. **Lead Agency Name and Address:** County of San Mateo Planning and Building Department  
455 County Center, 2nd Floor, Redwood City, CA 94063
4. **Contact Person and Phone Number:** Bryan Albini; 650/363-1807
5. **Project Location:** 3295 El Camino Real, North Fair Oaks (Redwood City)
6. **Assessor's Parcel Number and Size of Parcel:** 060-281-220; 10,700 square feet (vacant)  
and 060-281-210; 11,996 square feet (developed)
7. **Project Sponsor's Name and Address:** Ken Brogno  
101 Montgomery Street, Suite #650, San Francisco,  
CA 94104
8. **General Plan Designation:** Multi-Family Residential
9. **Zoning:** R-2/S-50 (Two-Family Residential)
10. **Description of the Project:** Re-Zone the vacant parcel from Two-Family Residential District to General Commercial District and amend the General Plan designation from Multi-Family Residential to Commercial Mixed-Use for merger with the adjacent General Commercial District zoned parcel which is currently developed with an existing 10,877 sq. ft. office building, to allow for the construction of a 20-space surface parking lot. The newly merged lot will allow the development of a parking lot to serve the existing office building, which has insufficient off-street parking spaces for its current use. Removal of two significant trees (30 in. diameter Valley Oak and 28-38 in. diameter Redwood), upon arborist recommendation, and site grading proposed in conformance with county parking design criteria and stormwater detention requirements.
11. **Surrounding Land Uses and Setting:** The project site is accessed directly from Amherst Avenue, a residential feeder street of El Camino Real (Highway 82). The property is located approximately 1.4 miles southwest from Highway 101 and .3 miles east of the intersection of El Camino Real (Highway 82) and 5th Avenue. The project site is bordered by commercial uses to the northwest, southwest, and two-family residential development to the northeast. The vacant parcel is currently partially paved but undeveloped (no buildings) with perimeter fencing.
12. **Other Public Agencies Whose Approval is Required:** None.

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Significant Unless Mitigated" as indicated by the checklist on the following pages.

	Aesthetics	X	Climate Change		Population/Housing
	Agricultural and Forest Resources		Hazards and Hazardous Materials		Public Services
X	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
X	Geology/Soils	X	Noise		Mandatory Findings of Significance

## EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in 5. below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.

- b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

1. <b>AESTHETICS</b> . Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1.a.	Have a significant adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?				X
<p><b>Discussion:</b> The project site is not located within an area that has a scenic vista. The area in and around the site is highly urbanized and developed with varying levels of density. Given this, the development of this site poses no adverse impacts on a scenic vista or views from residential areas, public lands, water bodies, or roads.</p> <p><b>Source:</b> Project Location.</p>					
1.b.	Significantly damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
<p><b>Discussion:</b> The project site is not located within a state scenic highway. In addition, there are no buildings of historical significance or rock outcroppings located on the property.</p> <p><b>Source:</b> Project Proposal, Project Location.</p>					
1.c.	Significantly degrade the existing visual character or quality of the site and its surroundings, including significant change in topography or ground surface relief features, and/or development on a ridgeline?				X

<p><b>Discussion:</b> The project and eventual construction on the vacant parcel do not include any significant change to the topography, ground surface relief features, or result in development on a ridge.</p> <p><b>Source:</b> Project Proposal.</p>					
1.d.	Create a new source of significant light or glare that would adversely affect day or nighttime views in the area?				X
<p><b>Discussion:</b> Given the urbanized nature of the surrounding area, the project and future development of the vacant parcel are not expected to create a new source of significant light and/or glare that would adversely affect day or nighttime views in the area.</p> <p><b>Source:</b> Project Proposal.</p>					
1.e.	Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?				X
<p><b>Discussion:</b> The project site is not located in either a Scenic Highway or within a State or County Scenic Corridor.</p> <p><b>Source:</b> Project Location.</p>					
1.f.	If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
<p><b>Discussion:</b> The project site is not located within a Design Review District.</p> <p><b>Source:</b> San Mateo County Zoning Regulations, San Mateo County General Plan.</p>					
1.g.	Visually intrude into an area having natural scenic qualities?				X
<p><b>Discussion:</b> Please refer to the discussion under 1a., 1b., and 1c., above.</p> <p><b>Source:</b> Project Proposal, Project Location.</p>					

<p><b>2. AGRICULTURAL AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forestland, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2.a.	For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance				X



	(Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
<p><b>Discussion:</b> The project site is not designated as prime farmland, unique farmland, or farmland of statewide importance. A review of the State of California Department of Conservation California Important Farmland Finder classifies the subject parcel as Urban and Built-up Land. The vacant parcel is currently utilized for parking use and the proposed project does not introduce any new or converted uses.</p> <p><b>Source:</b> United States Department of Agriculture Natural Resources Conservation Service, California Department of Conservation.</p>					
2.b.	Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?				X
<p><b>Discussion:</b> The project site is not zoned for agriculture, protected by an existing Open Space Easement, or a Williamson Act contract.</p> <p><b>Source:</b> San Mateo County Zoning Regulations, San Mateo County General Plan, San Mateo County Williamson Act contracts.</p>					
2.c.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?				X
<p><b>Discussion:</b> The project site is not located in an area identified as Farmland or is it necessarily suitable for agricultural activities. Further, the project site is not considered forestland given the urbanized nature of the area.</p> <p><b>Source:</b> U.S. Department of Agriculture Forest Service Forest Inventory Analysis 2005, Project Proposal.</p>					
2.d.	For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?				X
<p><b>Discussion:</b> The project site is not located within the Coastal Zone.</p> <p><b>Source:</b> Project Location.</p>					
2.e.	Result in damage to soil capability or loss of agricultural land?				X
<p><b>Discussion:</b> The project site has not been identified as containing agricultural lands. The project site is classified as urban land. Given the size of the parcel and the urbanized nature of the area, there is no damage to soil capability or loss of agricultural land associated with this project.</p> <p><b>Source:</b> United States Department of Agriculture Natural Resources Conservation Service.</p>					
2.f.	Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned				X

<p>Timberland Production (as defined by Government Code Section 51104(g))?</p> <p><i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i></p>				
<p><b>Discussion:</b> The project site is not located in an area identified as forestland, timberland, or timberland zoned for timberland production.</p> <p><b>Source:</b> Project Proposal, San Mateo County Zoning Regulations.</p>				

<p><b>3. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>					
		<b>Potentially Significant Impacts</b>	<b>Significant Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
3.a.	Conflict with or obstruct implementation of the applicable air quality plan?				X
<p><b>Discussion:</b> The rezoning of the vacant property will not conflict or obstruct implementation of the applicable air quality plan. Emissions occurring during and after construction and for the life of the development are minimal.</p> <p><b>Source:</b> Bay Area Air Quality Management District.</p>					
3.b.	Violate any air quality standard or contribute significantly to an existing or projected air quality violation?				X
<p><b>Discussion:</b> There are two sites within 1,000 feet of the project site that have been identified as stationary sources which present risks and hazards to the surrounding area. The re-zoning itself will not violate any air quality standard or contribute significantly to the existing or project air quality issues.</p> <p><b>Source:</b> Project Proposal, Bay Area Air Quality Management District.</p>					
3.c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
<p><b>Discussion:</b> As of December 2012, San Mateo County is a non-attainment area for PM-2.5. However, the project does not contribute to an increase in emissions. Given that PM-2.5 is a typical vehicle emission (i.e., construction trucks/diesel equipment), a temporary PM increase in the project area would be anticipated during any future construction. The temporary nature of the proposed construction and California Air Resources Board vehicle regulations reduce the potential effects to a less than significant impact.</p> <p><b>Source:</b> Bay Area Air Quality Management District.</p>					

3.d. Expose sensitive receptors to significant pollutant concentrations, as defined by BAAQMD?				X
<p><b>Discussion:</b> The project is not expected to result in significant pollutant concentrations. While future construction may result in temporary emissions, the best management practices required through the issuance of a building permit would ensure that impacts are minimized to a less than significant impact. While there are identified sensitive receptors within 1,000 feet of the project area (e.g., nursing homes), the temporary nature of construction is not expected to significantly increase pollutant concentrations.</p> <p><b>Source:</b> Project Proposal, Google Maps.</p>				
3.e. Create objectionable odors affecting a significant number of people?				X
<p><b>Discussion:</b> There are no aspects included as part of the project that are expected to emit odors nor would the parcel's future development be expected to create objectionable odors.</p> <p><b>Source:</b> Project Proposal.</p>				
3.f. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on-site or in the surrounding area?		X		
<p><b>Discussion:</b> While the rezone and merger will not generate pollutants, the future development of the site is expected to generate a temporary increase in dust, motor vehicle, and diesel particulate matter in the area. This temporary increase is not expected to violate existing standards of on-site air quality given required vehicle emission standards required by the State of California for vehicle operations. To mitigate for the temporary increase in dust, Mitigation Measure 1, below, is recommended.</p> <p><b>Source:</b> Project Proposal, Bay Area Air Quality Management, California Environmental Protection Agency Air Resources Board.</p> <p><b>Mitigation Measure 1:</b> The applicant shall implement the following dust control measures during grading and construction activities:</p> <ol style="list-style-type: none"> <li>(1) Water all active construction and grading areas at least twice daily.</li> <li>(2) Cover all truck hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.</li> <li>(3) Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at the project site.</li> <li>(4) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets/roads.</li> <li>(5) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).</li> </ol>				

<b>4. BIOLOGICAL RESOURCES.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4.a. Have a significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
<p><b>Discussion:</b> There are no State or Federal mapped protected species located within the project area.</p> <p><b>Source:</b> Project Proposal, California Natural Diversity Database.</p>				
4.b. Have a significant adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
<p><b>Discussion:</b> There are no riparian habitats or other sensitive natural communities located within the project area.</p> <p><b>Source:</b> Project Proposal, San Mateo County General Plan.</p>				
4.c. Have a significant adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
<p><b>Discussion:</b> There are no wetlands located within the project area.</p> <p><b>Source:</b> Project Proposal, Project Location.</p>				
4.d. Interfere significantly with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
<p><b>Discussion:</b> There are no known migratory wildlife corridors or nursery sites in the project area. Given the urbanized nature of the project area, there is no expectations that the project as proposed pose any significant threat to native or migratory wildlife species.</p> <p><b>Source:</b> Project Proposal, Project Location.</p>				

4.e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?				X
<p><b>Discussion:</b> The project itself does not involve conflict with any local policies or ordinances protecting biological resources. The future development of the vacant parcel will likely involve the removal of at least two significant trees for construction of the parking lot; however, that removal will be subject to the issuance of a separate significant tree removal permit in accordance with applicable policies. The vacant parcel does not contain any heritage trees. Therefore, the project will not conflict with any local policies or ordinances protecting biological resources.</p> <p><b>Source:</b> Project Proposal, Zoning Regulations, County Ordinance Code Sections 11,000 and 12,000.</p>				
4.f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or State habitat conservation plan?				X
<p><b>Discussion:</b> There are no Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plans that cover the project site.</p> <p><b>Source:</b> San Mateo County General Plan.</p>				
4.g. Be located inside or within 200 feet of a marine or wildlife reserve?				X
<p><b>Discussion:</b> The project site is not located inside or within 200 feet of a marine or wildlife reserve. The project site is not located in an area mapped for sensitive habitats or as an area known to possess a protected species of plant or animal.</p> <p><b>Source:</b> Project Location, California Natural Diversity Database.</p>				
4.h. Result in loss of oak woodlands or other non-timber woodlands?				X
<p><b>Discussion:</b> The project site is not located in an area defined as such.</p> <p><b>Source:</b> Project Proposal, Project Location.</p>				

<b>5. CULTURAL RESOURCES.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5.a. Cause a significant adverse change in the significance of a historical resource as defined in CEQA Section 15064.5?				X
<p><b>Discussion:</b> There are no known historical resources in the project area.</p> <p><b>Source:</b> Project Location, San Mateo County General Plan, California State Parks Office of Historic Preservation.</p>				
5.b. Cause a significant adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?				X
<p><b>Discussion:</b> There are no known archaeological resources in the disturbed/developed area.</p> <p><b>Source:</b> Project Location, San Mateo County General Plan, California State Parks Office of Historic Preservation.</p>				
5.c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
<p><b>Discussion:</b> There are no mapped unique paleontological resources or geological features in this area. The project location consists of Qpaf (Alluvial Fan and fluvial deposits) which are commonly found within the County.</p> <p><b>Source:</b> U.S. Geological Survey Geologic Map of the San Francisco Bay Region, 2006.</p>				
5.d. Disturb any human remains, including those interred outside of formal cemeteries?				X
<p><b>Discussion:</b> There are no known human remains within the project area.</p> <p><b>Source:</b> Project Location.</p>				

<b>6. GEOLOGY AND SOILS.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
6.a. Expose people or structures to potential significant adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				

<p>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other significant evidence of a known fault?</p> <p><i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i></p>			X	
<p><b>Discussion:</b> The San Francisco Bay Area generally experiences a high level of seismic activity due to its tectonic setting. Surface rupture occurs when the ground surface is broken due to fault movement during earthquakes. Such hazards are generally assumed to occur in the vicinity of an active fault trace. Active fault lines in San Mateo County include the San Andreas and the Seal Cove-San Gregorio faults. The former occurs within 3.7 miles of the project area (County of San Mateo, 1986). Ground shaking could result from an earthquake along one of these faults, causing potentially serious hazards throughout the County, depending upon the location of the earthquake, magnitude, and area geology. Risks of loss, injury, or death resulting from surface rupture or ground shaking are greatest in densely developed, high-population areas. Future construction will be subject to the California Building Code in effect at that time. The required methods of construction take into consideration the proximity of development to the fault and/or fault traces to maximize structural integrity and to minimize loss of life or property in the event of an earthquake. For these reasons, the project's impact with respect to surface fault rupture and ground shaking would be less than significant.</p> <p><b>Source:</b> State of California Department of Conservation.</p>				
<p>ii. Strong seismic ground shaking?</p>			X	
<p><b>Discussion:</b> The project site is located within an area designated as susceptibility very strong - violent for earthquake shaking. At the time that construction is proposed, the applicant will be required to submit a soils report and geotechnical investigation as part of the standard requirements for issuance of a building permit. Any future construction will be reviewed by the County's Geotechnical Section and all work shall be completed in accordance with the California Building Code and recommendations made by the applicant's engineer to ensure health and safety. If the project is approved, it is understood that eventual construction of the parking lot will not increase the density on the vacant parcel. Any future construction will be subject to the California Building Code in effect at that time. The required methods of construction take into consideration the proximity of development to the fault and/or fault traces to maximize structural integrity and to minimize loss of life or property in the event of an earthquake. For these reasons, the project's impact with respect to surface fault rupture and ground shaking would be less than significant.</p> <p><b>Source:</b> San Mateo County Earthquake Shaking Fault Maps (San Andreas Fault, Hayward Fault).</p>				
<p>iii. Seismic-related ground failure, including liquefaction and differential settling?</p>				X
<p><b>Discussion:</b> The project parcel is located in an area identified as having very low probability to moderate for earthquake liquefaction. As stated previously, the project will be completed in accordance with the California Building Code and per the recommendations of the applicant's engineer.</p> <p><b>Source:</b> U.S. Geological Survey Susceptibility Map of the San Francisco Bay Area (Map compiled from Knudsen and others, 2000, and Witter and others, 2005).</p>				
<p>iv. Landslides?</p>				X

**Discussion:** The project area consists of areas identified as "Flat Land," with areas of gentle slope at low elevation that have little or no potential for the formation of slumps, translational slides, or earth flows. The project will be subject to the issuance of a building permit and all work shall be completed in accordance with the California Building Code and recommendations made by the applicant's engineer to ensure health and safety.

**Source:** U.S. Geological Survey Summary Distribution of Slides and Earth Flows in San Mateo County, California, 1997.

v. Coastal cliff/bluff instability or erosion?				X
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*Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).*

**Discussion:** The project site is not located in such an area.

**Source:** Project Location.

6.b. Result in significant soil erosion or the loss of topsoil?			X	
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**Discussion:** The project itself will not result in significant soil erosion. Given the relatively flat nature of the site, any proposed construction is not expected to result in significant soil erosion or loss of top soil. In addition, any proposed construction is not expected to result in significant amounts of earthwork. However, to ensure that there are no impacts to surrounding properties, staff has included the following mitigation measure to be required for future construction:

**Source:** Project Proposal.

**Mitigation Measure 2:** Prior to commencement of the project, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- (1) Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
- (2) Minimize the area of bare soil exposed at one time (phased grading).
- (3) Clear only areas essential for project activities.
- (4) Within five days of clearing or inactivity, stabilize bare soils through either non-vegetative BMPs, such as mulching, or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- (5) Project site entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- (6) Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- (7) Soil and/or other construction-related materials stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.
- (8) Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using



<p>earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.</p> <p>(9) Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.</p> <p>(10) Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.</p> <p>(11) Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).</p> <p>(12) Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acres or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.</p> <p>(13) Utilize coir fabric/netting on sloped graded areas to provide a reduction in water velocity, erosive areas, habitat protection, and topsoil stabilization.</p> <p>(14) Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved Erosion Control Plan.</p>					
6.c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?				X
<p><b>Discussion:</b> There project site is not identified as containing a geological unit or soil that is presently unstable.</p> <p><b>Source:</b> Project Proposal.</p>					
6.d.	Be located on expansive soil, as noted in the 2013 California Building Code, creating significant risks to life or property?				X
<p><b>Discussion:</b> There are no known expansive soils. The project site is currently developed, and given a lack of previous failures, there is no expectation of encountering expansive soils which could result in a risk to life and/or property.</p> <p><b>Source:</b> Project Proposal.</p>					
6.e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
<p><b>Discussion:</b> The project site is currently serviced by a municipal waste water provider. Proposed improvements will not require an expansion of municipal waste water service.</p> <p><b>Source:</b> Project Proposal.</p>					

7. CLIMATE CHANGE. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7.a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?			X	
<p><b>Discussion:</b> Vehicle emissions are a known source of GHG emissions. The proposed project will not generate additional trips upon completion. Given the limitations set by the State regarding vehicle emission, a significant increase in emissions is not expected. However, a minor temporary increase in greenhouse gasses during the construction phase may occur. Vehicles are subject to California Air Resources Board emission standards. Although the project scope is not likely to significantly generate greenhouse gases, the following mitigation measure is recommended:</p> <p><b>Source:</b> California Air Resources Board, San Mateo County Energy Efficiency Climate Action Plan.</p> <p><b>Mitigation Measure 3:</b> The applicant shall implement the following basic construction measures at all times:</p> <p>(1) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</p> <p>(2) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.</p> <p>(3) Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</p>				
7.b. Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
<p><b>Discussion:</b> The project does not conflict with the San Mateo County Energy Efficiency Climate Action Plan provided that the mitigation measure outlined in Section 7.a, above, is implemented.</p> <p><b>Source:</b> San Mateo County Energy Efficiency Climate Action Plan.</p>				
7.c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X
<p><b>Discussion:</b> The project site is not located in an area defined as forestland.</p> <p><b>Source:</b> Project Location.</p>				
7.d. Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?				X

<b>Discussion:</b> The project site is not located within the coastal zone.					
<b>Source:</b> Project Location.					
7.e.	Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
<b>Discussion:</b> The project site is located approximately 1.67 miles from the San Francisco Bay and 13.6 miles from the nearest coastal bluff. Given the distance from the ocean and terrain between the project site and the ocean, sea level rise is not expected to impact the project site.					
<b>Source:</b> Project Location.					
7.f.	Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<b>Discussion:</b> The project is not located in such an area. The project site is located within a Flood Zone X (Areas with minimal risk outside the 1-percent and .2-percent-annual-chance floodplains. No base flood elevations or base flood depths are shown within these zones.); Community Panel No. 06081C0303E, effective October 16, 2012.					
<b>Source:</b> Federal Emergency Management Agency.					
7.g.	Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
<b>Discussion:</b> The project is not located in such an area.					
<b>Source:</b> Federal Emergency Management Agency.					

<b>8. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8.a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X
<b>Discussion:</b> No transport of hazardous materials is associated with this project.					
<b>Source:</b> Project Proposal.					

8.b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
<p><b>Discussion:</b> The project would not involve the use or release of hazardous materials.</p> <p><b>Source:</b> Project Proposal.</p>				
8.c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
<p><b>Discussion:</b> The emission of hazardous materials, substances, or waste are not proposed as part of the project.</p> <p><b>Source:</b> Project Proposal.</p>				
8.d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
<p><b>Discussion:</b> The project site is not located in an area identified as a hazardous materials site.</p> <p><b>Source:</b> California Department of Toxic Substances Control.</p>				
8.e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?				X
<p><b>Discussion:</b> The project site is not located in such an area.</p> <p><b>Source:</b> Project Location.</p>				
8.f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
<p><b>Discussion:</b> The project site is not located in such an area.</p> <p><b>Source:</b> Project Location.</p>				
8.g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

<p><b>Discussion:</b> The proposed project is located completely on a privately owned parcel. All future site improvements would be located within the parcel boundaries and there is no expected impact to any such emergency response or evacuation plan.</p> <p><b>Source:</b> San Mateo County Office of Emergency Services.</p>					
8.h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
<p><b>Discussion:</b> The project site is not located in an area mapped for susceptibility or risk involving wildland fires. The project site is urbanized with no adjacent wildland areas.</p> <p><b>Source:</b> Cal-Fire Fire Hazard Severity Zones Maps.</p>					
8.i.	Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p><b>Discussion:</b> The project parcel is not located in such an area.</p> <p><b>Source:</b> Federal Emergency Management Agency Flood Insurance Rate Map 06081C0303E, Effective October 16, 2012.</p>					
8.j.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p><b>Discussion:</b> The project parcel is not located in such an area.</p> <p><b>Source:</b> Federal Emergency Management Agency Flood Insurance Rate Map 06081C0304E, Effective October 16, 2012.</p>					
8.k.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
<p><b>Discussion:</b> The project parcel is not located in a dam failure inundation area.</p> <p><b>Source:</b> San Mateo County General Plan Hazards Map.</p>					
8.l.	Inundation by seiche, tsunami, or mudflow?				X
<p><b>Discussion:</b> The project parcel is not located in such an area.</p> <p><b>Source:</b> San Mateo County General Plan Hazards Map.</p>					

9. HYDROLOGY AND WATER QUALITY. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9.a. Violate any water quality standards or waste discharge requirements (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?			X	
<p><b>Discussion:</b> As mentioned previously, the project, as proposed, in compliance with the Municipal Regional Stormwater Permit, will be required to mitigate stormwater discharge by incorporating Low Impact Development (LID) standards to reduce stormwater runoff and mimic the site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring (evaporating stormwater into the air directly or through plant transpiration), and/or biotreating stormwater runoff close to its source.</p> <p><b>Source:</b> Project Proposal, San Mateo Countywide Water Pollution Prevention Program.</p>				
9.b. Significantly deplete groundwater supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
<p><b>Discussion:</b> The project site will be served by the Fair Oaks Sewer District, a municipal water service company. There is no expected impact to local groundwater supplies or that the project would include activities that would interfere with groundwater recharge.</p> <p><b>Source:</b> Project Proposal.</p>				
9.c. Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in significant erosion or siltation on- or off-site?				X
<p><b>Discussion:</b> The project site is flat and does not contain a stream or river. Future construction of the site, per County requirements, will need to incorporate permanent on-site stormwater treatment measures to capture run-off displaced by any new development. Compliance with these standard requirements ensures that there are no significant impacts to surrounding properties.</p> <p><b>Source:</b> Project Proposal.</p>				

9.d.	Significantly alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or significantly increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X	
<p><b>Discussion:</b> While the rezone and merger do not include any construction-related activities, future construction of the parking lot will be required to include measures to ensure that post-development run-off (peak flow) and velocity is less than or equal to pre-development levels in accordance with the San Mateo County Drainage policy. These measures will be required at the time that construction is proposed.</p> <p><b>Source:</b> Project Plans.</p>					
9.e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide significant additional sources of polluted runoff?				X
<p><b>Discussion:</b> See discussion under 9.d. above.</p> <p><b>Source:</b> Project Proposal.</p>					
9.f.	Significantly degrade surface or groundwater water quality?				X
<p><b>Discussion:</b> No degradation of surface or groundwater water quality is expected with the proposed project.</p> <p><b>Source:</b> Project Proposal.</p>					
9.g.	Result in increased impervious surfaces and associated increased runoff?			X	
<p><b>Discussion:</b> See discussion under 9.d. above.</p> <p><b>Source:</b> Project Proposal.</p>					

<b>10. LAND USE AND PLANNING.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a.	Physically divide an established community?			X
<p><b>Discussion:</b> The proposed re-zoning and merger would result in development that is consistent with the surrounding area and do not result in development that would result in the division of an established community.</p> <p><b>Source:</b> Project Proposal.</p>				

10.b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
<p><b>Discussion:</b> The proposed project is consistent with the type and density of development in the surrounding area. The surrounding community contains both commercial and two-family residential development. The areas directly fronting on El Camino Real consist of commercial retail development and the areas along Amherst Avenue consist of a mix of single-family and two-family residential development. However, the property's current zoning and general plan designation would not allow for the uses consistent with the adjacent commercially zoned parcel fronting El Camino Real to which it will be merged. The change in zoning and general plan designation would not result in any adverse impact to plans adopted for the purpose of avoiding or mitigating an environmental impact.</p> <p><b>Source:</b> Project Proposal, San Mateo County General Plan, and Zoning Regulations.</p>				
10.c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p><b>Discussion:</b> There is no known conservation plan that covers the project site.</p> <p><b>Source:</b> San Mateo County General Plan.</p>				
10.d. Result in the congregating of more than 50 people on a regular basis?				X
<p><b>Discussion:</b> The proposed project does not propose a use that would result in the congregation of more than 50 people on a regular basis. The parking lot would serve the existing commercial office building at 3295 El Camino for up to 20 vehicles during business hours, while being gated and locked when businesses are not open.</p> <p><b>Source:</b> Project Proposal.</p>				
10.e. Result in the introduction of activities not currently found within the community?				X
<p><b>Discussion:</b> The project proposal includes the construction of a 20 vehicle parking lot to serve the adjacent existing commercial building. The current residential zoning designation for the subject parcel prohibits parking as an allowed use. The current informal use of the vacant parcel as parking will continue albeit under compliance with existing zoning regulations for commercial parcels. Both multiple family residential and commercial uses are found throughout the surrounding community.</p> <p><b>Source:</b> Project Proposal.</p>				
10.f. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				X



<b>Discussion:</b> The project proposes the rezone and merger of a vacant parcel with the adjacent office building property. The parking lot will only serve the existing commercial building by providing parking to a use that otherwise has no on-site parking.					
<b>Source:</b> Project Proposal.					
10.g.	Create a significant new demand for housing?				X
<b>Discussion:</b> No. The project does not involve improvements that will create a significant new demand for housing.					
<b>Source:</b> Project Proposal.					

<b>11. MINERAL RESOURCES.</b> Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11.a.	Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
<b>Discussion:</b> None proposed.					
<b>Source:</b> Project Proposal.					
11.b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<b>Discussion:</b> None proposed.					
<b>Source:</b> Project Proposal, Project Location.					

<b>12. NOISE.</b> Would the project result in:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12.a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		

<p><b>Discussion:</b> While the project will not generate noise, future project construction may do so. Therefore, during future project construction, excessive noise could be generated, particularly during grading and/or excavation activities. Mitigation Measure 4 as described below is proposed to reduce the construction noise impact to a less than significant level.</p> <p>Once construction is complete, the project is not expected to generate significant amounts of noise.</p> <p><b>Source:</b> Project Proposal, San Mateo County Noise Ordinance.</p> <p><b>Mitigation Measure 4:</b> All grading and construction activities associated with the proposed project shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction activities will be prohibited on Sunday and any nationally observed holiday. Noise levels produced by construction activities shall not exceed the 80-dBA level at any one moment.</p>					
12.b.	Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?				X
<p><b>Discussion:</b> None proposed.</p> <p><b>Source:</b> Project Proposal, Project Location.</p>					
12.c.	A significant permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
<p><b>Discussion:</b> None proposed.</p> <p><b>Source:</b> Project Plans.</p>					
12.d.	A significant temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
<p><b>Discussion:</b> A temporary increase in ambient noise levels at the time of future construction is expected. However, due to the project scope, this is expected to be limited. Post-construction, the site should not result in any additional ambient noise.</p> <p><b>Source:</b> Project Proposal, San Mateo County Noise Ordinance.</p>					
12.e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?				X
<p><b>Discussion:</b> The project site is not located in such an area.</p> <p><b>Source:</b> Project Proposal, Project Location.</p>					
12.f.	For a project within the vicinity of a private airstrip, exposure to people residing or working in the project area to excessive noise levels?				X
<p><b>Discussion:</b> The project site is not located within the vicinity of a private airstrip.</p> <p><b>Source:</b> Project Location.</p>					

<b>13. POPULATION AND HOUSING.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13.a. Induce significant population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
<p><b>Discussion:</b> The project proposal for a 20 vehicle parking lot and merger to an adjacent commercial parcel, with an existing commercial building, will not induce significant population growth. Any improvements necessary to serve the site will occur within the subject parcel's boundaries and are sufficient only to serve it.</p> <p><b>Source:</b> Project Proposal.</p>				
13.b. Displace existing housing ( <b>including low- or moderate-income housing</b> ), in an area that is substantially deficient in housing, necessitating the construction of replacement housing elsewhere?				X
<p><b>Discussion:</b> The project will not result in the displacement of existing housing as the parcel is currently undeveloped and informally serves as parking for an adjacent commercial property. As discussed previously, the project site is surrounded by both single-family and multiple-family residential developments.</p> <p><b>Source:</b> Project Proposal.</p>				

<b>14. PUBLIC SERVICES.</b> Would the project result in significant adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14.a. Fire protection?				X
14.b. Police protection?				X
14.c. Schools?				X
14.d. Parks?				X
14.e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?				X

**Discussion:** The project would not trigger the need for any new or altered government facilities.

**Source:** Project Proposal.

15. RECREATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15.a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?				X
<p><b>Discussion:</b> The project would not increase use of existing neighborhood or regional recreational facilities. All of the proposed improvements are to occur completely on the subject parcel. Given that the project site is undeveloped, and the proposal is limited to the development of a small parking lot, there is not a significant increase in population that would result in physical deterioration of any such facility as a result of the project.</p> <p><b>Source:</b> Project Proposal.</p>				
15.b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<p><b>Discussion:</b> No recreational facilities are proposed as part of this project.</p> <p><b>Source:</b> Project Proposal.</p>				

16. TRANSPORTATION/TRAFFIC. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16.a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X
<p><b>Discussion:</b> As discussed previously, the project site is located within a highly urbanized area. El Camino Real is part of State Route 82 which is part of the California Freeway and Expressway System and consists of two lanes in both directions. The project would result in an increase of 20 off-street parking spaces. There is no expectation that given the current level of traffic that El Camino Real carries, the addition of this small number of vehicles would result in or significantly impact the roadway. Given the urbanized nature of the area,</p>				

all the necessary utilities are existing so that when construction is proposed, all of the site improvements are to occur completely on the vacant parcel. The project does not involve a level of development that would adversely impact any plan, ordinance, or policy which establishes measures of effectiveness for the performance of the circulation system.

**Source:** Project Location.

16.b. Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?				X
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**Discussion:** No. See discussion under 16.a. above.

**Source:** Project Location.

16.c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in significant safety risks?				X
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**Discussion:** None proposed.

**Source:** Project Proposal, Project Location.

16.d. Significantly increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
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**Discussion:** None proposed.

**Source:** Project Proposal.

16.e. Result in inadequate emergency access?				X
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**Discussion:** Given the urbanized nature of the parcel and the existing direct access from an improved roadway, there is no reason to believe that future development on the parcel would result in inadequate emergency access. Should future construction be proposed, the plans will be reviewed by the fire department and will be required to meet the current fire code for ingress/egress.

**Source:** Project Proposal.

16.f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
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**Discussion:** No impacts. See discussion under 16.a. above.

**Source:** Project Location.

16.g.	Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?				X
<p><b>Discussion:</b> The proposed project does not introduce a new use or result in changes outside of the parcel boundaries. There is no expectation of significant increase or change to pedestrian patterns in the area.</p> <p><b>Source:</b> Project Proposal.</p>					
16.h.	Result in inadequate parking capacity?				X
<p><b>Discussion:</b> No impact. The proposed project will improve the existing inadequate parking capacity that currently exists along Amherst Avenue by providing 20 off-street parking spaces to serve the adjacent existing commercial building.</p> <p><b>Source:</b> Project Proposal, San Mateo County Zoning Regulations.</p>					

<b>17. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17.a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
<p><b>Discussion:</b> The property is currently served by a municipal waste water service provider. A referral of the proposed project was sent to the Fair Oaks Sewer District and a conditional approval was provided to the project.</p> <p><b>Source:</b> Project Proposal, Project Location, San Francisco Bay Regional Water Quality Control Board.</p>					
17.b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
<p><b>Discussion:</b> The proposed project would not require additional wastewater treatment and the existing water supply is adequate for on-site landscaping for future parking lot construction.</p> <p><b>Source:</b> Project Proposal, Fair Oaks Sewer District, California Water Service Company.</p>					
17.c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
<p><b>Discussion:</b> Development of the site will require new on-site stormwater measures to address the site alterations. However, these measures are standard requirements for any development and would be relatively minor in nature. There are no significant environmental effects associated with these types of improvements.</p> <p><b>Source:</b> Project Proposal.</p>					

17.d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
<p><b>Discussion:</b> As mentioned previously, the subject parcel is served by municipal water. California Water Service Company was provided the opportunity to review and condition the proposed project and submitted only minor comments regarding the proposal. There is sufficient water to service the project site.</p> <p><b>Source:</b> Project Proposal, California Water Service Company.</p>				
17.e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
<p><b>Discussion:</b> See discussion under 17.b above. No impact.</p> <p><b>Source:</b> Project Proposal, Project Location.</p>				
17.f. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
<p><b>Discussion:</b> The property receives municipal trash pick up service and there is no indication at this time that the landfill utilized has insufficient capacity to continue to serve it.</p> <p><b>Source:</b> Project Proposal.</p>				
17.g. Comply with Federal, State, and local statutes and regulations related to solid waste?				X
<p><b>Discussion:</b> Given that the site is served by a municipal solid waste management company, there is no expectation that the use would result in waste production that would trigger compliance with Federal, State, and/or local statutes and regulations.</p> <p><b>Source:</b> Project Proposal.</p>				
17.h. Be sited, oriented, and/or designed to minimize energy consumption, including transportation energy; incorporate water conservation and solid waste reduction measures; and incorporate solar or other alternative energy sources?				X
<p><b>Discussion:</b> The project proposes the construction of a screened trash enclosure to serve the adjacent commercial building. No other structures are proposed.</p> <p><b>Source:</b> Project Proposal.</p>				

17.i.	Generate any demands that will cause a public facility or utility to reach or exceed its capacity?				X
<p><b>Discussion:</b> No. See discussion of utility usage in 17.a.-h. above.</p> <p><b>Source:</b> Project Proposal.</p>					

**18. MANDATORY FINDINGS OF SIGNIFICANCE.**

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
18.a.	Does the project have the potential to degrade the quality of the environment, significantly reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X

**Discussion:** No sensitive habitats are mapped in the project area. Future construction will be limited to the project site which is within a highly urbanized environment.

**Source:** Project Proposal.

18.b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X	
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**Discussion:** The project would change the zoning and general plan designation to allow commercial development on the site. As discussed previously, a 20 vehicle off-street parking lot is proposed for the currently vacant subject parcel. The rezoning itself does not have significant impacts associated with its approval while future construction does have the potential to create impacts. However, the preceding analysis considered these short term potential impacts and mitigation measures have been included to address them. These mitigation measures have been included in the project analysis in order to provide protections to ensure that future development on the subject property does not result in significant impacts to the surrounding community. With the implementation of these measures, there is no expectation that the project either contributes to or creates any cumulative impacts.

**Source:** Project Proposal.



18.c. Does the project have environmental effects which will cause significant adverse effects on human beings, either directly or indirectly?				X
<b>Discussion:</b> See discussion of 8.a. and 8.b. above.				
<b>Source:</b> Project Proposal.				

**RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board		X	
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission		X	
City		X	
Sewer/Water District:		X	
Other:			

<b><u>MITIGATION MEASURES</u></b>		
	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	X	
Other mitigation measures are needed.		X

**Mitigation Measure 1:** The applicant shall implement the following dust control measures during grading and construction activities:

- (1) Water all active construction and grading areas at least twice daily.
- (2) Cover all truck hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- (3) Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at the project site.
- (4) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets/roads.
- (5) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

**Mitigation Measure 2:** Prior to commencement of the project, the applicant shall submit to the Planning Department for review and approval an erosion and drainage control plan that shows how the transport and discharge of soil and pollutants from and within the project site shall be minimized. The plan shall be designed to minimize potential sources of sediment, control the amount of runoff and its ability to carry sediment by diverting incoming flows and impeding internally generated flows, and retain sediment that is picked up on the project site through the use of sediment-capturing devices. The plan shall also limit application, generation, and migration of toxic substances, ensure the proper storage and disposal of toxic materials, and apply nutrients at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:

- (1) Sequence construction to install sediment-capturing devices first, followed by runoff control measures and runoff conveyances. No construction activities shall begin until after all proposed measures are in place.
- (2) Minimize the area of bare soil exposed at one time (phased grading).
- (3) Clear only areas essential for project activities.
- (4) Within five days of clearing or inactivity, stabilize bare soils through either non-vegetative BMPs, such as mulching, or vegetative erosion control methods such as seeding. Vegetative erosion control shall be established within two weeks of seeding/planting.
- (5) Project site entrances shall be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
- (6) Control wind-born dust through the installation of wind barriers such as hay bales and/or sprinkling.
- (7) Soil and/or other construction-related materials stockpiled on-site shall be placed a minimum of 200 feet from all wetlands and drain courses. Stockpiled soils shall be covered with tarps at all times of the year.

- (8) Intercept runoff above disturbed slopes and convey it to a permanent channel or storm drains by using earth dikes, perimeter dikes or swales, or diversions. Use check dams where appropriate.
- (9) Provide protection for runoff conveyance outlets by reducing flow velocity and dissipating flow energy.
- (10) Install storm drain inlet protection that traps sediment before it enters any adjacent storm sewer systems. This barrier shall consist of filter fabric, straw bales, gravel, or sand bags.
- (11) Install sediment traps/basins at outlets of diversions, channels, slope drains, or other runoff conveyances that discharge sediment-laden water. Sediment traps/basins shall be cleaned out when 50% full (by volume).
- (12) Use silt fence and/or vegetated filter strips to trap sediment contained in sheet flow. The maximum drainage area to the fence should be 0.5 acres or less per 100 feet of fence. Silt fences shall be inspected regularly and sediment removed when it reaches 1/3 the fence height. Vegetated filter strips should have relatively flat slopes and be vegetated with erosion-resistant species.
- (13) Utilize coir fabric/netting on sloped graded areas to provide a reduction in water velocity, erosive areas, habitat protection, and topsoil stabilization.
- (14) Throughout the construction period, the applicant shall conduct regular inspections of the condition and operational status of all structural BMPs required by the approved Erosion Control Plan.

**Mitigation Measure 3:** The applicant shall implement the following basic construction measures at all times:

- (1) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxic Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- (2) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- (3) Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person, or his/her designee, shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**Mitigation Measure 4:** All grading and construction activities associated with the proposed project shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction activities will be prohibited on Sunday and any nationally observed holiday. Noise levels produced by construction activities shall not exceed the 80-dBA level at any one moment.

**DETERMINATION** (to be completed by the Lead Agency).

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Department.

\_\_\_\_\_

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

X

\_\_\_\_\_

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

\_\_\_\_\_

08-15-2016

Date



(Signature)

Planner II

(Title)

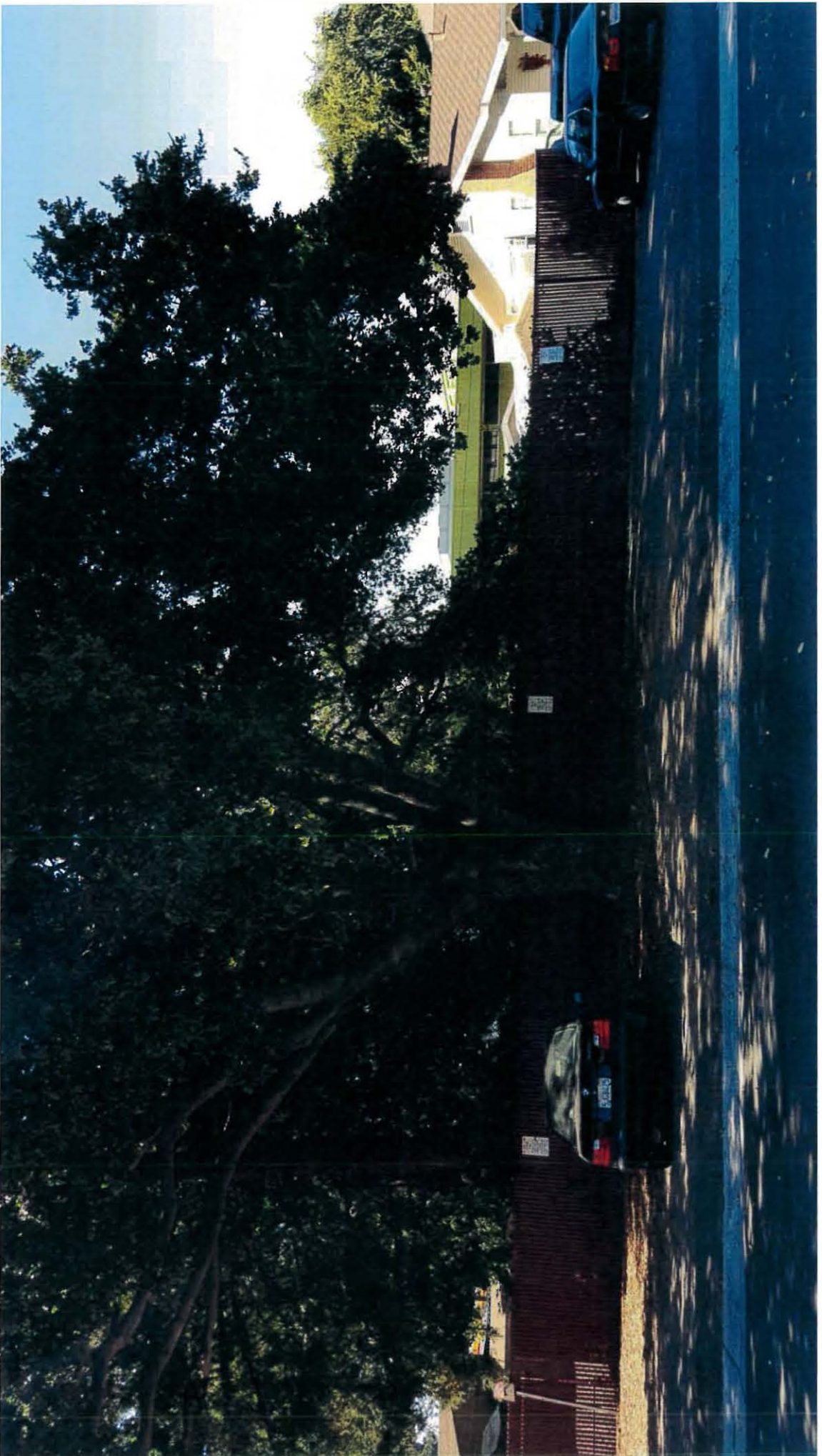


EL CAMINO REAL

AMHERST STREET

SITE PLAN WITH LANDSCAPE  
 3295 EL CAMINO BUILDING IMPROVEMENTS

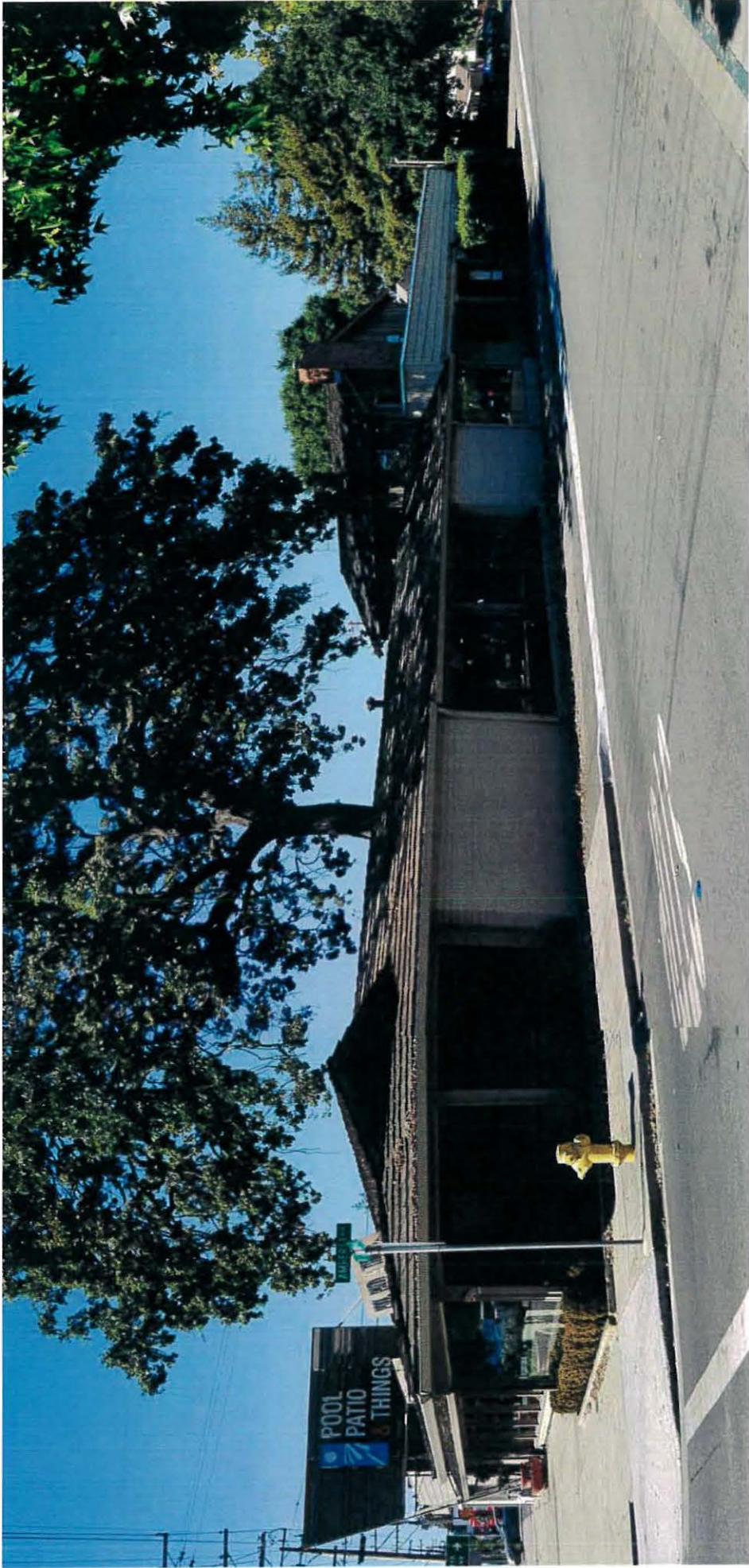
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 0 6 12  
 JULY 28, 2016  
 3295 El Camino Real  
 San Francisco, CA 94116  
 Tel: 415.774.8800  
 Fax: 415.774.8800  
 www.martinkovicmilford.com







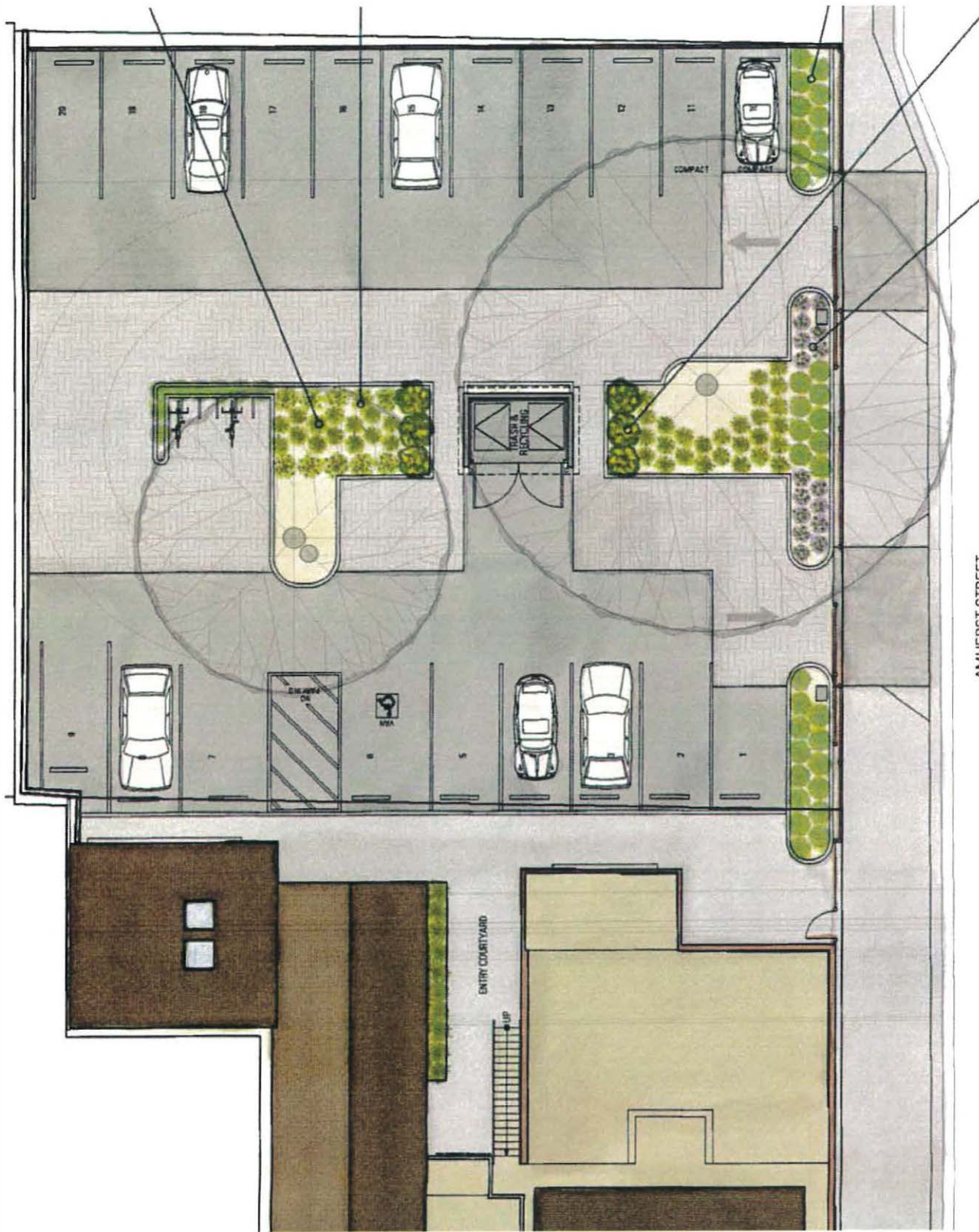




EXISTING BUILDING IMAGE  
3295 EL CAMINO BUILDING IMPROVEMENTS



RENDERING 1  
3295 EL CAMINO BUILDING IMPROVEMENTS



AMHERST STREET

SITE PLAN WITH LANDSCAPE

3295 EL CAMINO BUILDING IMPROVEMENTS

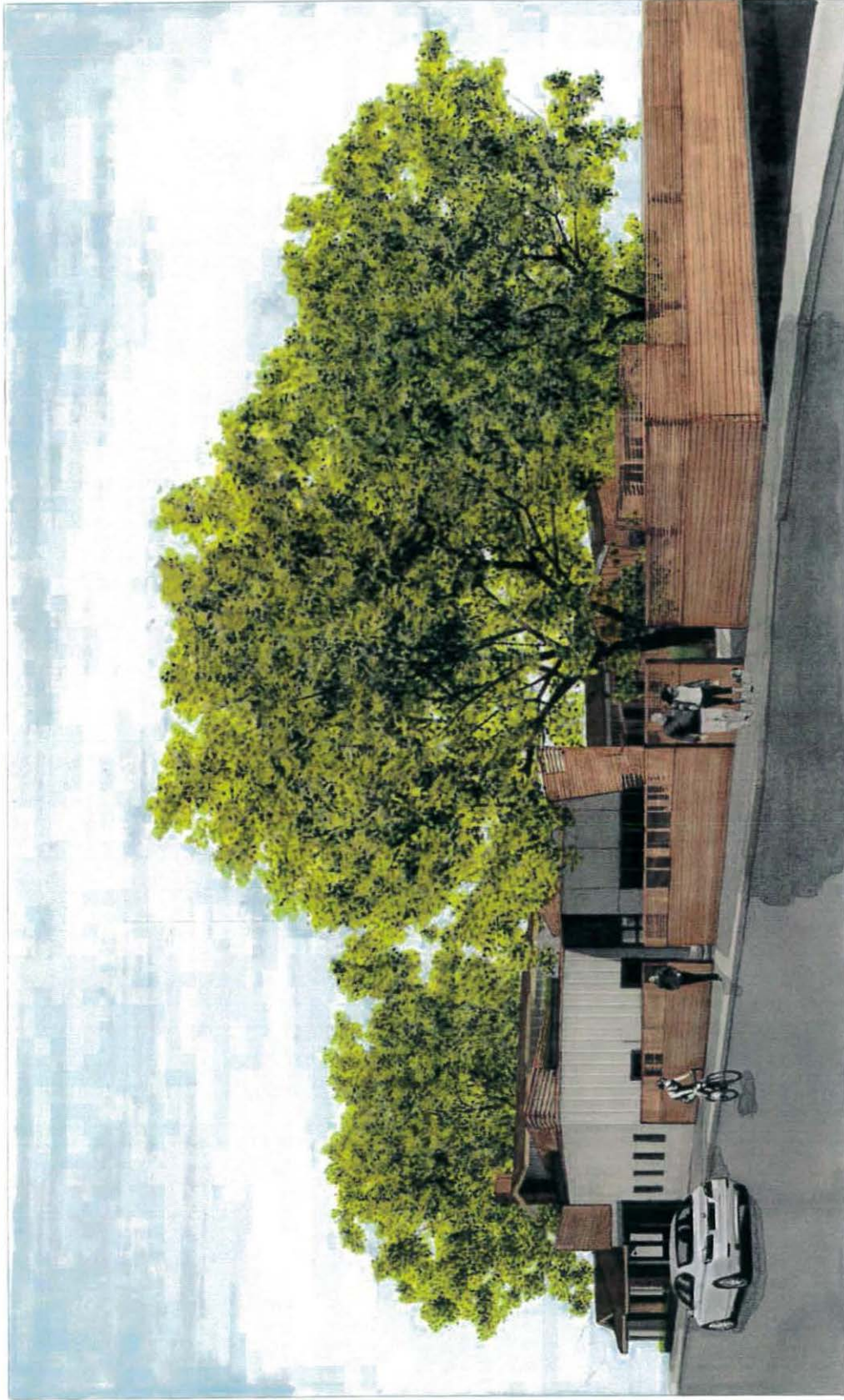
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JULY 28, 2016

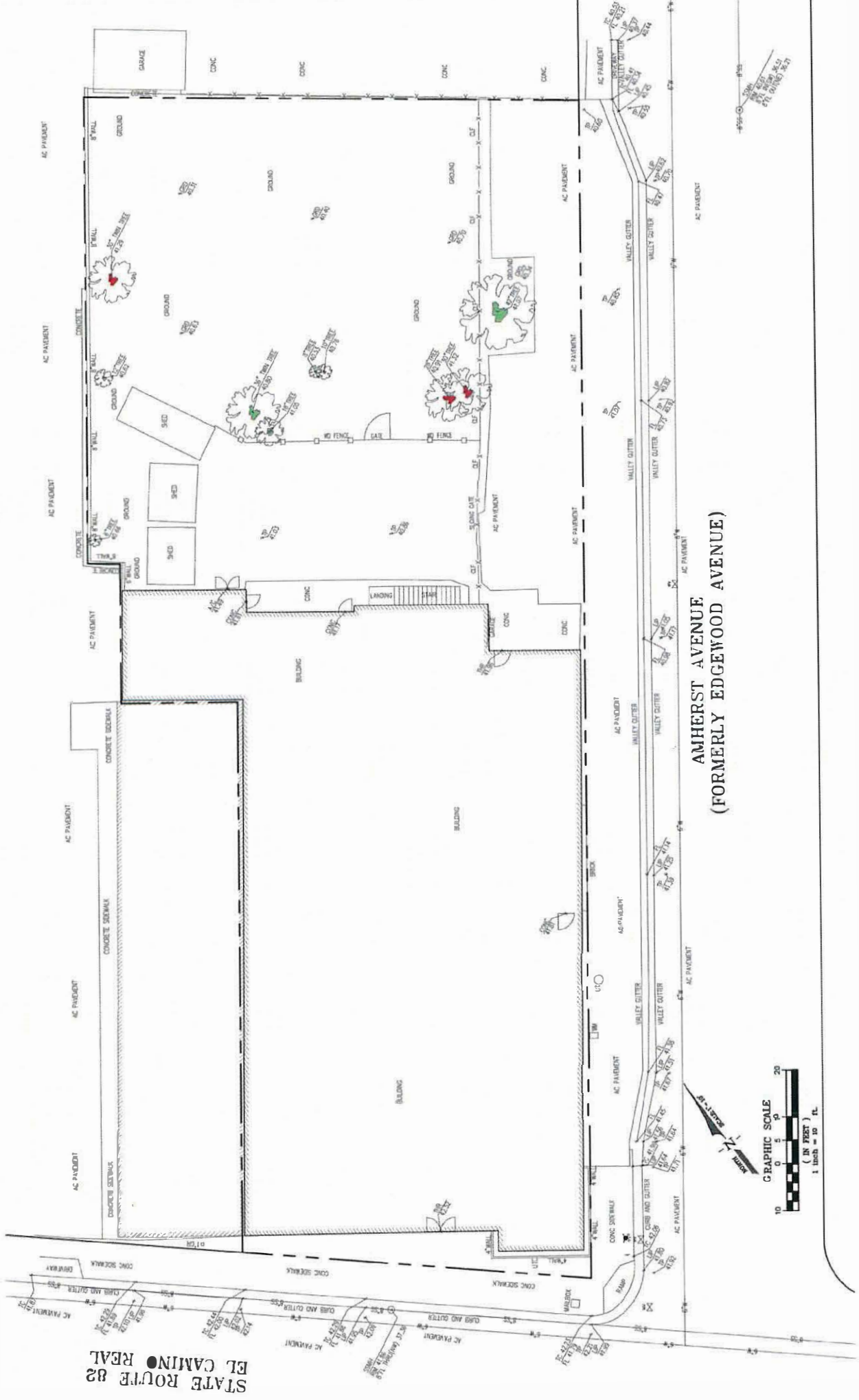
3295 El Camino Building  
 San Francisco, CA 94118  
 Phone: 415.774.1234  
 Fax: 415.774.1235  
 www.martinkovicmilford.com



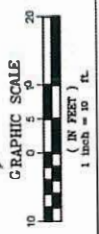
RENDERING 3  
3295 EL CAMINO BUILDING IMPROVEMENTS



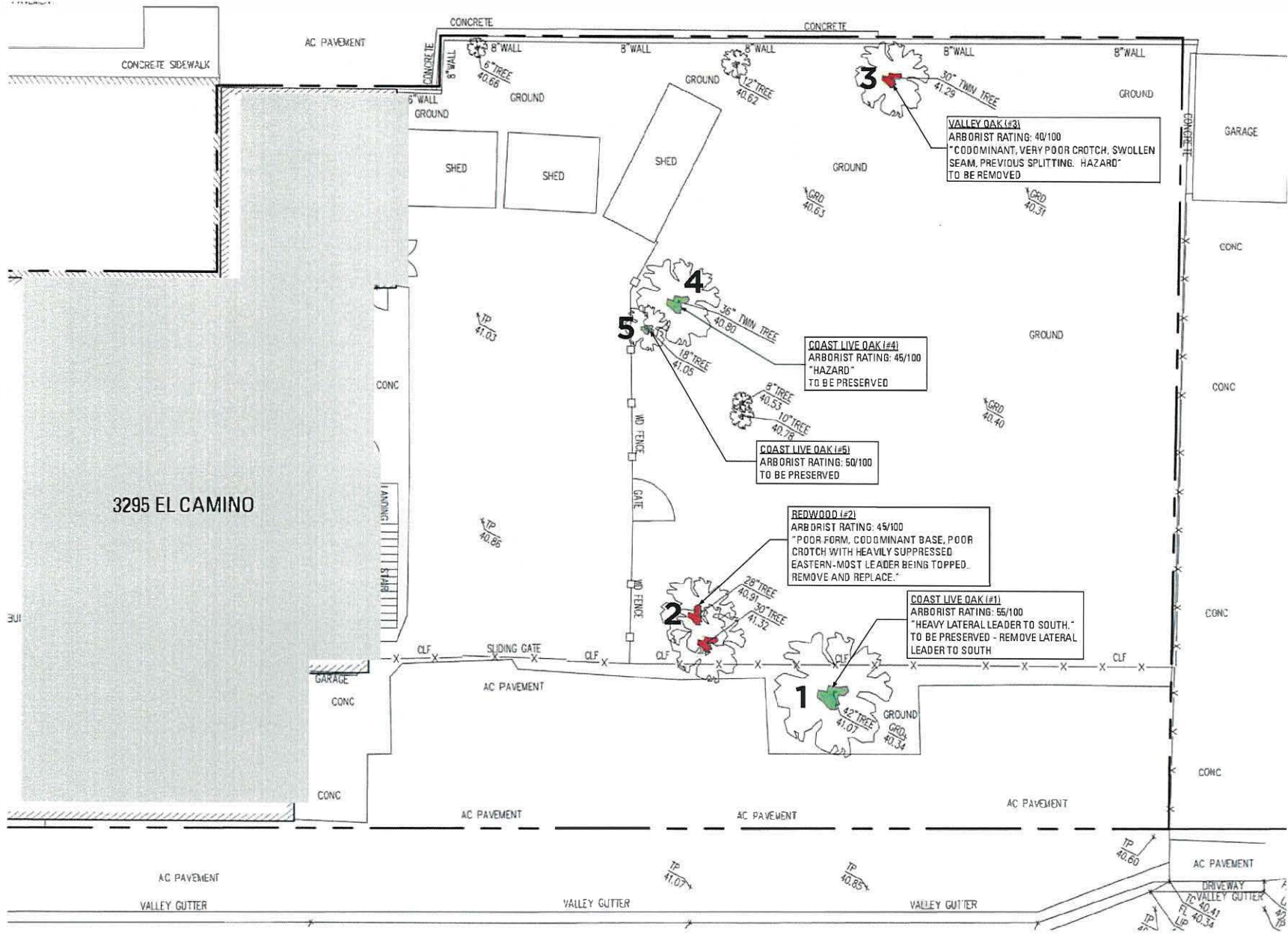
RENDERING 2  
3295 EL CAMINO BUILDING IMPROVEMENTS



AMHERST AVENUE  
(FORMERLY EDGEWOOD AVENUE)



STATE ROUTE 82  
EL CAMINO REAL



3295 EL CAMINO

AMHERST AVENUE

SITE SURVEY  
3295 EL CAMINO BUILDING IMPROVEMENTS



***San Mateo County Planning Commission Meeting***

Owner/Applicant:

Attachment:

File Numbers:



**COUNTY OF SAN MATEO  
PLANNING AND BUILDING**

County Government Center  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
650-363-4161 T  
650-363-4849 F  
www.planning.smcgov.org

March 7, 2016

**ATTACHMENT: G**

Ken Brogno  
Martinkovic Milford Architects  
101 Montgomery Street, Suite 650  
San Francisco, CA 94104

Dear Mr. Brogno:

**SUBJECT:** Summary of comments and questions received at a public workshop held during the January 28, 2016, North Fair Oaks Community Council meeting, regarding a proposal to: (1) amend the General Plan Map and land use designation of a 10,700 sq. ft. parcel (APN 060-281-210) from Multi-Family Residential to Commercial Mixed-Use; (2) rezone the parcel, currently zoned Two-Family Residential District/5,000 sq. ft. minimum parcel size (R-2/S-50) to General Commercial District/5,000 sq. ft. minimum parcel size (C-2/S-1); and (3) merge the 10,700 sq. ft. parcel with the adjacent 11,996 sq. ft. parcel (APN 060-281-220) which is zoned C-2/S-1, creating a 22,696 sq. ft. parcel, located in the unincorporated North Fair Oaks area of San Mateo County.

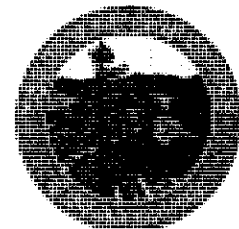
County File Number: PLN 2015-00512

Thank you for your participation in the public workshop. The information and comments exchanged were necessary to understand the concerns from the community as the project application moves forward. The purpose of this letter is to summarize the comments received for the Pre-Application (PRE 2015-00058) at the workshop and to convey comments received from reviewing agencies.

At the meeting, you described a tentative proposal for the general plan amendment and rezoning described in the subject line of this letter. The amendment and rezoning would allow for the 10,700 sq. ft. lot to the east of the property containing an existing commercial building to share the same C-2/S-1 zoning and allow a parcel merger to occur.

You also stated at the meeting that plans for tenant improvements to convert the building use from retail to office use were submitted to the Planning and Building Department and that review of the plans is currently in process. The Current Planning Section has reviewed and approved the tenant improvements in advance of the subject proposal moving forward, as the proposed use is allowed under the current zoning and General Plan land use designation.

The existing, unauthorized parking lot which served the now defunct retail use is not allowed on residentially zoned property. The proposal would allow the parcel to be authorized for use as a



parking lot to serve the proposed office use. Preliminary parking lot plans depict 24, 8.5' x 18' parking spaces.

The parcel has insufficient parking for the proposed office space, which could require up to 65 spaces depending on building configuration; however, the conversion is permissible as per Section 6118(e) of the San Mateo County Zoning Regulations with regard to a Change in Use - Additions and Enlargement, which states:

*Whenever in any building there is a change in use, or increase in floor area, or in the number of employees or other unit measurements specified hereinafter to indicate the number of required off-street parking spaces and such change or increase creates a need for an increase of more than ten (10) percent in the number of off-street parking spaces as determined by the tables in this Chapter, additional off-street parking spaces 3.3 shall be ... however, that in case a change in use creates a need for an increase of less than five (5) off-street parking spaces, no additional parking facilities shall be required.*

The parking required by the retail use in the C-2 Zoning District is one space for every 160 square feet. The parking required for any office use is one space for every 200 square feet. Currently, there are approximately five parking spaces provided, where one is required for 200 sq. ft. of retail use. The proposed 10,877 sq. ft. of office use requires approximately 65 parking spaces. The proposal does not enlarge the existing structure, therefore, since the parking ratio for the office use is less than the one for commercial uses, there is no increase in the number of required parking spaces; therefore, there is no change required to address the non-conforming situation.

#### PUBLIC'S KEY COMMENTS AND RESPONSES

There were three major concerns expressed from the public at the workshop: (1) the loss of residentially-zoned property, (2) encroachment of commercial into residential areas, and (3) parking concerns for residents related to delivery trucks. The following is a detailed summary of the issues raised at the community meeting and comments from agencies. The Planning staff response is below each comment.

1. Public Comment: *Commercial uses will encroach onto residential lands. The residentially-zoned parcel is located across the street from two residential parcels (24 Amherst Avenue and 30 Amherst Avenue), and the current alignment of commercial zoning primarily includes properties fronting El Camino and does not include adjacent residentially-zoned areas.*

Staff Response: The zoning along El Camino in the unincorporated North Fair Oaks area is primarily zoned C-1 or C-2 with the exception of a parcel zoned "Parking" and a parcel zoned as "Planned Unit Development" (PUD) to allow for a housing complex. In most cases, as with the subject parcel, the parcels to the east of these commercial parcels are zoned R-2 or R-3 for multi-family residential development. However, the subject parcel is unique in that it is directly bordered by residential development on one side and on the other sides by "C-2" and "Parking" zoning districts and Amherst Avenue. There is a large area zoned multiple-residential development (R-2/S-50) to the east of the subject parcel. The adjacent parcel to the east is developed with a single-family residence, but is located within the R-2/S-50 zoning district, for multi-family residential.

One of the subject parcels falls within an area governed by the newly adopted North Fair Oaks Community Plan (Community Plan). The Community Plan designates all parcels fronting El Camino with the exception of the rail corridor and the PUD property as Commercial Mixed-Use (CMU). The CMU land use designation will allow for higher density mixed-used development, with a height limit of 60 feet and a maximum of five stories. It will incentivize the integration of residential use in new projects. The proposed office building will be considered a conforming use as commercial and office uses are allowed under the CMU land use designation. The rezoning process, which implements the Community Plan, is still being refined through community input.

Under the Community Plan, the R-2 parcel is designated for multi-family residential use. One aspect of the proposal that will be evaluated by Planning staff is whether the rezoning and parcel merger is advantageous to the community and the overall implementation of the new North Fair Oaks Community Plan.

2. *Public Comment:* *In the past, there have been numerous parking violations involving large delivery vehicles.*

Staff Response: County records indicate past parking violations associated with the retail use (now closed). If the land designation and zoning change for the subject parcel was approved, the commercial area could be used to address the existing parking shortage for the use at 3295 El Camino Real.

3. *Public Comment:* *The trees are a valuable asset to the community and they do not want to see them removed.*

Staff Response: No tree removal is proposed under this Pre-Application or the pending building permit. Any future tree removal would be evaluated for consistency with the County's tree removal ordinance in review of any application which is submitted.

4. *Public Comment:* *Public testimony included statements in opposition to residential areas being rezoned to commercial use; opposition to rezoning residential areas to create a parking lot; and concerns about potential negative impacts on the surrounding neighborhood.*

Staff Response: The potential impacts of the project will be evaluated in the formal application for this project. As required by the California Environmental Quality Act, an environmental analysis will address potential environmental impacts and recommended mitigation measures. The environmental document will be available for review and comment at least 20 days prior to the public hearing of a planning application.

5. *Public Comment:* *It is hard already to find parking in the area.*

Staff Response: If a parking lot for the office building was constructed on the parcel for rezoning, additional off-street parking for the office use would be created. The proposed parking lot would have 24, 8.5' x 18' parking spaces. This number is less than the approximately 65, which would be required for the office use, but is more than the five or so currently afforded by the paved surface on the residentially zoned lot.

6. Public Comment: What is the parking ratio?

Staff Response: The parking ratio for office uses is one per 200 sq. ft., unless a parking exception is granted. As stated earlier in this letter, the property has a non-conforming parking situation, which may be maintained under the office building proposal.

The project application was reviewed by the Department of Public Works (DPW), the Menlo Park Fire Protection District, and the Planning and Building Department. DPW comments pertained to new areas of impervious surface which would be created by a new parking lot. The Menlo Park Fire Protection District offered only access comments for the proposal. The comments and conditions are listed below.

Planning Department Comments

General Plan Implications

The proposed general plan amendment and rezoning of APN 060-281-210 could support the goals of the North Fair Oaks Community Plan. The proposed amendment and rezoning could create a combined site of 22,696 square feet that would be more conducive to mixed use residential development and could create conditions to ensure protection of on-site trees as part of a future development project. Draft zoning regulations for the Commercial Mixed Use zone contemplate setbacks intended to protect adjacent parcels zoned for lower density multi-family housing. These measures could protect access to light and air for adjacent existing residential development while facilitating construction of much needed housing or compatible commercial use.

C3 Conditions

1. The applicant shall prepare a Stormwater Management Plan (SWMP) that includes, at a minimum, exhibit(s) showing drainage areas and location of Low Impact Development (LID) treatment measures; project watershed; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; hydromodification management measures and calculations, if applicable; Natural Resources Conservation Service (NRCS) soil type; saturated hydraulic conductivity rate(s) at relevant locations or hydrologic soil type (A, B, C or D) and source of information; elevation of high seasonal groundwater table; a brief summary of how the project is complying with Provision C.3 of the Municipal Regional Permit (MRP); and detailed Maintenance Plan(s) for each site design, source control and treatment measure requiring maintenance.
2. Low Impact Development treatment measures to be shown on final improvement or grading plans shall not differ materially from the LID treatment measures presented on the project's Tentative Map, approved on (to be determined), without written approval from the Planning Department.
3. Project shall comply with all requirements of the Municipal Regional Stormwater NPDES Permit Provision C.3. Please refer to the San Mateo Countywide Water Pollution Prevention Program's (SMCWPPP) C.3 Stormwater Technical Guidance Manual for

assistance in implementing LID measures at the site:  
<http://www.flowstobay.org/newdevelopment>.

4. Treatment controls shall be designed and sized to treat runoff from the entire redevelopment project (including all existing, new, and/or replaced impervious areas) using flow or volume based sizing criteria specified in Provision C.3.d of the Municipal Regional Stormwater Permit.
5. Treatment controls shall be designed and sized to treat runoff from new and/or replaced impervious areas only.
6. Biotreatment measures (including bioretention areas, flow-through planters and non-proprietary tree well filters) shall be sized to treat runoff from 100% of the applicable drainage area (all impervious areas and applicable landscaped areas) using flow or volume based sizing criteria as described in the Provision C.3.d of the MRP, or using the simplified sizing method (4% rule of thumb), described in the C.3 Technical Guidance and based on the flow-based sizing criteria in Provision C.3.d.i.(2)(c).
7. Plant species used within the biotreatment measure area shall be consistent with Appendix A of the C.3 Technical Guidance.
8. Biotreatment soil mix for biotreatment measures shall have a minimum percolation rate of 5 inches per hour and a maximum percolation rate of 10 inches per hour, and shall be in conformance with Attachment L of the MRP, which is included in Appendix K of the C.3 Technical Guidance.
9. Design of biotreatment measures shall be consistent with technical guidance for the applicable type of biotreatment measure provided in Chapter 6 of the C.3 Technical Guidance.
10. Prior to the final of the building permit for the project, the property owner shall coordinate with the Project Planner to enter into an Operation and Maintenance Agreement (O&M Agreement) with the County (executed by the Community Development Director) to ensure long-term maintenance and servicing by the property owner of stormwater site design and treatment control measures according the approved Maintenance Plan(s), for the life of the project. The O&M Agreement shall provide County access to the property for inspection. The Maintenance Agreement(s) shall be recorded for the property.
11. Property owner shall be responsible for conducting all servicing and maintenance as described and required by the treatment measure(s) Maintenance Plan(s). Maintenance of all site design and treatment control measures shall be the owner's responsibility.
12. The property owner is responsible for submitting an Annual Report accompanied by a review fee to the County by December 31 of each year, as required by the O&M Agreement. The property owner is also responsible for the payment of an inspection fee for County inspections of the stormwater facility, conducted as required by the NPDES Municipal Regional Permit.

13. Approved Maintenance Plan(s) shall be kept on-site and made readily available to maintenance crews. Maintenance Plan(s) shall be strictly adhered to. Site access shall be granted to representatives of the County, the San Mateo County Mosquito and Vector Control District, and the Water Board, at any time, for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems. A statement to that effect shall be made a part of the Maintenance Agreement recorded for the property.
14. Property owner shall be required to pay for all County inspections of installed stormwater treatment systems as required by the Regional Water Quality Control Board or the County.

#### Department of Public Works Comments

15. Prior to the issuance of the building permit or planning permit (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.
16. Prior to the issuance of the building permit or planning permit (if applicable), the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
17. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.
18. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.
19. The applicant shall submit to the project planner, for recordation, closure calculations, legal descriptions of the merged parcels. The project planner will review these descriptions and forward them to the County Surveyor for review and approval.

Menlo Park Fire Comments

20. Fire Apparatus Access requirements have been met: Fire Apparatus Access is to be provided through two points of access, one from El Camino Real, the second from Amherst Avenue. Access to the building is acceptable based on proposed design.

PROJECT NEXT STEPS

After the Pre-Application Workshop and consideration of the comments submitted, the applicant may submit a formal application for the general plan amendment and rezone. At the time of formal permit application, the Current Planning Section will require an environmental review process via an Initial Study to determine what impacts may occur due to the proposed development. If there are no impacts or those impacts can be mitigated, a Mitigated Negative Declaration will be written and circulated for public review and comment. The Planning and Building Department will again notify all property owners within 500 feet of the project prior to future hearings before the Planning Commission and Board of Supervisors.

If you have any questions regarding the proposal or the Pre-Application Workshop, please contact me at 650/363-1828, or by email [eadams@smcgov.org](mailto:eadams@smcgov.org).

Sincerely,



Erica Adams  
Project Planner

EDA:fc – EDAAA0076\_WFN.DOCX

cc: Owner  
North Fair Oaks Community Council  
Board of Supervisors  
Planning Commission  
Steve Monowitz  
Lisa Aozasa  
Joe LaClair  
Isolina Martinez  
Julian Cervantes  
Janet Davis  
Robert Carter  
Gerri Carter

# ATTACHMENT: H

<p>Recorded at the Request of, and When Recorded Return to: Bryan Albini, Project Planner Planning and Building Department 455 County Center, 2nd Floor Mail Drop PLN122 Redwood City, CA 94063</p>	<p>For Clerk Use Only</p> <p><b>2017-028747 CONF</b> 2:47 pm 03/31/17 NM Fee: 24.00 Count of pages 4 Recorded in Official Records County of San Mateo Mark Church Assessor-County Clerk-Recorder</p>  <p>* R 0 0 0 2 3 7 5 6 5 6 *</p>
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County of San Mateo  
Planning and Building Department

## NOTICE OF MERGER

Planning File No. 2017-00131

Notice is hereby given that the real property described below and on Exhibit A attached hereto and made a part hereof has merged pursuant to Section 66499.20 3/4 of the Government Code and Section 7123 of the San Mateo County Subdivision Ordinance.

### Property Description

#### PARCEL ONE and TWO (060-281-220)

##### Parcel One:

Lot 25 in "Block A", as shown on that certain map entitled "OAK GROVE PARK SAN MATEO COUNTY, CALIF.", filed in the office of the County Recorder of San Mateo County, State of California, on August 9, 1923 in Book 11 of Maps at page 47.

##### Parcel Two:

Portion of Lot 24 in "Block A", as shown on that certain map entitled "OAK GROVE PARK SAN MATEO COUNTY, CALIF.", filed in the office of the County Recorder of San Mateo County, State of California, on August 9, 1923 in Book 11 of Maps at page 47, more particularly described as follows:

BEGINNING at the most Easterly corner of said Lot 24; thence running Southwesterly along the Southeasterly line of said Lot 29.50 feet; thence at right angles Northwesterly 25 feet; thence at right angles Northeasterly 29.50 feet to the Northeasterly line of said lot and thence Southeasterly along said line 25 feet to the point of beginning.

#### PARCEL THREE (060-281-210)

Portion of Lot 20 in "Block A", as shown on that certain map entitled "OAK GROVE PARK SAN MATEO COUNTY, CALIF.", filed in the office of the County Recorder of San Mateo County, State of California, on August 9, 1923 in Book 11 of Maps at page 47, more particularly described as follows:



BEGINNING at the point of intersection of the Northwesterly line of Amherst Avenue (formerly Edgewood) with the southwesterly line of Lot 20 in said Bloc "A", thence along said Southwesterly line Northwesterly 107 feet; thence Northeasterly and parallel line of Amherst Avenue, 100 feet to the Northeasterly line of said Lot 20; thence Southeasterly along said Northeasterly line, 107 feet to the Northwesterly line of Amherst Avenue; thence Southwesterly along said Northwesterly line of Amherst Avenue; 100 feet to the point of beginning.

This property is also identified as Assessor's Parcel Numbers: 060-281-210, 060-281-220

The above-described property now constitutes one (1) lot as shown on Exhibit A, attached.

According to public records, the above-described property is owned by:

DARRCK PEARL INVESTMENTS LLC  
2000 Broadway Street, Suite 150  
Redwood City, CA 94063

Signed: \_\_\_\_\_

  
Steve Monowitz  
Acting Community Development Director  
County of San Mateo

Date: \_\_\_\_\_

3/31/17

BRA:aow – BRABB0150\_WAV.DOCX

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

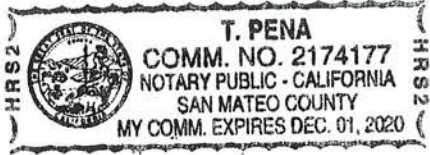
State of California )

County of San Mateo )

On 03/31/2017, before me, T. Pena, a Notary Public, personally appeared STEVE MONOWITZ, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature T. Pena

60-28

TAX CODE AREA

WAVERLY AVE

ALLEY

( OLD MIDDLEFIELD RD. )

FIFTH

AVE.



REAL

BK-59  
30

STOCKBRIDGE AVE

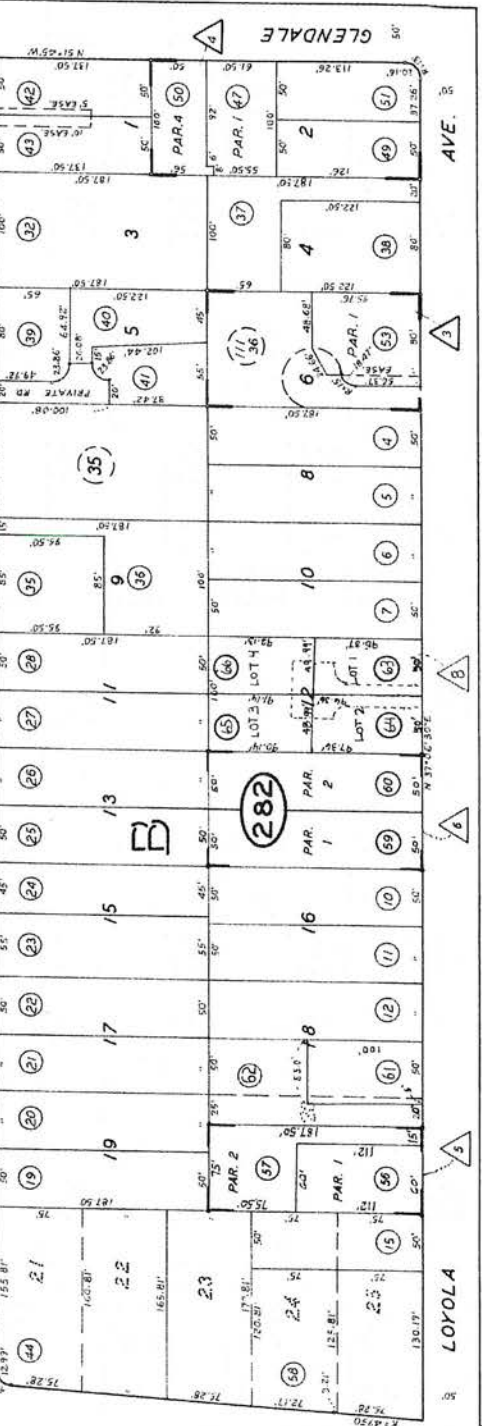
BK-59  
31

( EDGEWOOD AVE. )

AMHERST

LOVELL

LOVELL



- 1 OAK GROVE PARK PTN. OF RSM 11/47
- 2 PARCEL MAP VOL. 16/18
- 3 PARCEL MAP VOL. 17/6
- 4 PARCEL MAP VOL. 36/28 29
- 5 PARCEL MAP VOL. 55/97

PARCEL MAP VOL 81/83-84

PM 76/38-39

ASSESSORS MAP COUNTY OF SAN MATEO CA.

PARCEL MAP VOL 65/40

EXHIBIT A

# ATTACHMENT: I

## RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

**RESOLUTION AMENDING THE SAN MATEO COUNTY GENERAL PLAN LAND USE MAP TO CHANGE THE LAND USE OF A PORTION OF ONE PARCEL FROM “MULTI-FAMILY RESIDENTIAL” TO “COMMERCIAL MIXED-USE,” IN THE UNINCORPORATED NORTH FAIR OAKS AREA**

---

**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, on November 9, 2015, one landowner, Darck Pearl Investments LLC, of two parcels located at 3295 El Camino Real (APNs 060-281-210 & 060-281-220), having been merged, in the unincorporated North Fair Oaks area of San Mateo County, submitted an application to rezone the subject parcel from “Two-Family Residential” to “General Commercial” and to change the County General Plan Land Use Designation from “Multi-Family Residential” to “Commercial Mixed-Use”; and

**WHEREAS**, on {DATE}, the Board of Supervisors at its public hearing considered whether or not to allow the change in land use of a portion of one parcel from “Multi-Family Residential” to “Commercial Mixed-Use”; and

**WHEREAS**, on May 24, 2017, the County Planning Commission at its public hearing considered the amendment described above and recommended that the Board adopt the amendment; and

**WHEREAS**, on {DATE}, the Board at its public hearing considered the

amendment described above and finds that re-designating the parcel is consistent with the applicable General Plan Policies and goals of the adopted North Fair Oaks Community Plan.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** by the Board of Supervisors that the San Mateo County General Plan Land Use Map is amended to change the land use designation of a portion of the parcel located at 3295 El Camino Real (APNs 060-281-210 & 060-281-220) in the unincorporated North Fair Oaks area of San Mateo County from “Multi-Family Residential” to “Commercial Mixed-Use.”

\* \* \* \* \*

**ATTACHMENT: J**

**ORDINANCE NO. .  
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,  
STATE OF CALIFORNIA**

\* \* \* \* \*

**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**

The Board of Supervisors of the County of San Mateo, State of California,  
**ORDAINS** as follows

**SECTION 1.** Section 6115 of Chapter 2 of Part One of Division VI of the San Mateo  
County Ordinance Code (Zoning Maps), Appendix A, shall be amended to change the  
zoning designation of a portion of one parcel located at 3295 El Camino Real  
(Assessor's Parcel Number 060-281-210 and 060-281-220) from R-2/S-50 to CMU-1.

**SECTION 2.** This ordinance shall be effective thirty (30) days from the passage date  
thereof.

\* \* \* \* \*

# ATTACHMENT: K

## COUNTY OF SAN MATEO PLANNING AND BUILDING DEPARTMENT

DATE: June 14, 2017

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Review of Draft Report to the Board of Supervisors, pursuant to Zoning Regulations 6552, summarizing the Planning Commission's May 24, 2017 Hearing and Recommendation regarding the proposed General Plan and Zoning Map Amendment located at 3295 El Camino Real, North Fair Oaks.

County File Number: PLN 2015-00512 (Brogno/Darrck Pearl Investments LLC)

### **RECOMMENDATION**

1. Review this Draft Report summarizing the Planning Commission's recommendation on the proposed General Plan and Zoning Map Amendment;
2. Direct staff to make edits or additions to the Draft Report;
3. Direct the Community Development Director to file the Report with the Board of Supervisors.

### **REPORT TO BOARD OF SUPERVISORS REQUIRED**

Zoning Regulations Chapter 27 (Amendments), Section 6552, requires that following a hearing(s) on a proposed zoning amendment, the Planning Commission shall provide a report summarizing the hearing and its findings and recommendations with respect to the proposed amendment. The report must be filed with the Board of Supervisors within 30 days of the hearing.

### **REPORT ON PROPOSED AMENDMENT**

#### **Summary of Proposed Amendment**

On May 24, 2017, the Planning Commission considered a proposed General Plan and Zoning Map Amendment to rezone a portion of a 22,696 sq. ft. parcel currently Zoned R-2/S-50 (Two-Family Residential) and C-2/S-1 (General Commercial) located at 3295 El Camino Real. The parcel is split-zoned with the commercial portion abutting El Camino Real and the residential portion facing Amherst Avenue. The commercial

portion was previously used for retail and is currently being renovated to an office building and the residential portion is undeveloped but has historically been used as a parking lot serving the commercial use. The use of the residentially zoned portion as a parking lot is unauthorized because of its current zoning designation; the applicant proposes the rezone to remedy this situation. The map amendments are proposed to allow construction of a 20-space parking lot and 10-space bicycle parking area to serve the existing 10,900 sq. ft. office building which currently has insufficient off-street parking which is a legal non-conforming situation. Minimum site grading is proposed for parking lot construction. Two significant trees are proposed for removal and three significant trees will remain and are incorporated into the parking lot design. (Please refer to Attachment A: Project Graphics).

### **Summary of Planning Staff's Analysis and Recommendation**

Project Planner, Bryan Albini, presented staff's analysis, findings and recommendations regarding the proposal, which are summarized below:

#### **General Plan:**

The rezone and development are consistent with General Plan Visual Quality, Urban Land Use, and Transportation polices. Ten secure bicycle spaces are proposed to serve the existing commercial building and the construction of the 20-space parking lot is compliant with policies regulating minimum on-site parking needed for the existing commercial building which currently does not have any on-site parking. The parking lot will utilize permeable pavers, wood fence screening, and bioretention areas.

#### **North Fair Oaks Community Plan:**

The North Fair Oaks Community Plan (NFOCC) encourages mixed-use development along major commercial corridors and the redevelopment of underutilized and vacant land. Rezoning of the rear portion of the parcel will serve to encourage mixed-use development if proposed in the future. The Plan also identifies rezoning as a method to overcoming potential development barriers.

#### **Zoning Regulations:**

The rezone will correct a split-zoned parcel into one zone and general plan designation. The proposed C-2 District allows office uses and mixed-use residential at a greater density compared to the existing two-family Residential Zoning District, subject to Use Permit approval. Both existing and future development is capable of meeting the proposed development standards of the C-2/S-1 District.



Major Development Pre-Application Workshop and North Fair Oaks Community Council Meeting:

As a requirement for land use designation change and rezoning proposals, a public workshop was held during the January 28, 2016, North Fair Oaks Community Council meeting. The major concerns expressed from the public at the workshop centered on the loss of residentially zoned property, the encroachment of commercial uses into residential areas, and parking and traffic impacts to residents. However, as discussed in the report, the change in use at the existing commercial building from commercial retail to commercial office creates a less intensive use of the property, thus eliminating the volume of commercial vehicle traffic generated from retail operations. Additionally, as discussed in greater detail in the report, the subject parcels have historically been held in common, with the vacant parcel used informally for parking.

Environmental Review:

A Mitigated Negative Declaration was circulated for the project. No comments were received.

Staff Recommendation:

1. Recommend to the Board of Supervisors that it approve the proposed General Plan Land Use Map Amendment and Zoning Map Amendment, and adopt the Mitigated Negative Declaration by adopting the required findings and conditions of approval.
2. Recommend to the Board of Supervisors that it adopt a resolution to amend 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.
3. Recommend to the Board of Supervisors that it 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 "C-2/S-1," in the unincorporated North Fair Oaks area.

**Summary of Public Testimony**

There was one interested member of the public who spoke at the hearing, Mr. Robert Carter, who lives at 41 Amherst Avenue, directly adjacent to the subject property. Mr. Carter's comments are summarized in his 5/23/17 letter submitted to the Planning Commission, Attachment B.

## **Summary of Planning Commission Deliberations**

After considering staff's presentation and the public testimony, the commissioners had questions and comments regarding the proposed amendment, the possible impacts to the surrounding neighborhood, and its relationship to the larger North Fair Oaks Community Plan implementation rezoning effort currently being drafted by the County.

The Planning Commission expressed concerns regarding the proposed amendment and the impact to the surrounding community regarding the potential loss of a property designated for residential development, when the County is under pressure to add additional residential units. The Planning Commission wanted further understanding of the amount of surrounding commercially zoned parcels in the area, and the impact of possibly losing land available to accommodate the uses allowed under the residential zoning designation, including Fire Stations.

### **Staff Response:**

The project proposal, if approved, could potentially yield a net increase of 43 residential units, subject to development and parking standard requirements. Historically, the commercially and residentially zoned portions of the property have been owned in common since 1951. The residential portion has never been developed. The project area has commercial property on three sides with residential along the rear property line along Amherst Avenue.

On the potential loss of essential services under the change in zoning designation from residential to commercial, Menlo Park Fire District has no plans to expand its service area or to build additional stations within North Fair Oaks. Menlo Park Fire Station No. 3 is approximately one mile away from the project site.

The Planning Commission had questions regarding the reasoning behind the North Fair Oaks Community Council recommendation for denial of the proposed amendment.

### **Staff Response:**

The North Fair Oaks Community Council had reservations on the potential loss of residentially zoned properties, the loss of any of the existing significant trees on site, and concern about expanding commercial zoning further into Amherst Avenue. The NFOCC would only consider approval if the proposed zoning designation were restricted to parking only; contrary to the policy and goals of the North Fair Oaks Community Plan and the phase-out of single-use districts.

The Planning Commission had concerns about the arborist's evaluation of the existing trees on the property and whether the proposed parking lot landscaping would include non-invasive, drought tolerant species.

Staff's Response:

The applicant provided an Arborist's Assessment provided by Kielty Arborist Services. The applicant has provided an initial landscape plan, with an extensive plant material list as part of the formal application for the General Plan Amendment and Rezoning. After working with county staff in response to Public Works and Planning comments concerning drainage and tree protection, a revised landscape plan will be required for a building permit approval. Additionally, the Planning Commission's report included conditions of approval that required that plant species used within the biotreatment measure area shall be consistent with Appendix A of the C.3 Technical Guidance.

The Planning Commission had concerns about the project proposal and whether the approval of the general plan land use amendment and rezone would impact the Commercial Mixed Use (CMU) rezoning currently being developed by the County for commercial properties along El Camino and 5<sup>th</sup> Avenue. Additionally, they wondered if the proposed amendment would create an isolated situation of "spot-zoning" that would conflict with the goals and policies identified in the North Fair Oaks Community Plan.

Staff's Response:

The project parcel has a split-zone area with a commercial portion toward El Camino Real and a residential portion towards the rear along Amherst Avenue. The proposed amendment would correct the current split-zoning and be consistent with other commercially zoned properties that directly adjacent to the subject property. The commercially zoned portion of the project area is currently included in the plan implementation area for CMU Zoning. Zoning Regulations for this area are being drafted with specific allowed uses and standards for design, development, and parking. The Recommendation of Approval would allow the entire parcel to have a Commercial Mixed Use General Plan Land Use Designation, and would be included in the plan implementation area. Furthermore, the plan specifically identifies the undeveloped portion of the project area as a potential opportunity area for development.

**Summary of Planning Commission Recommendation**

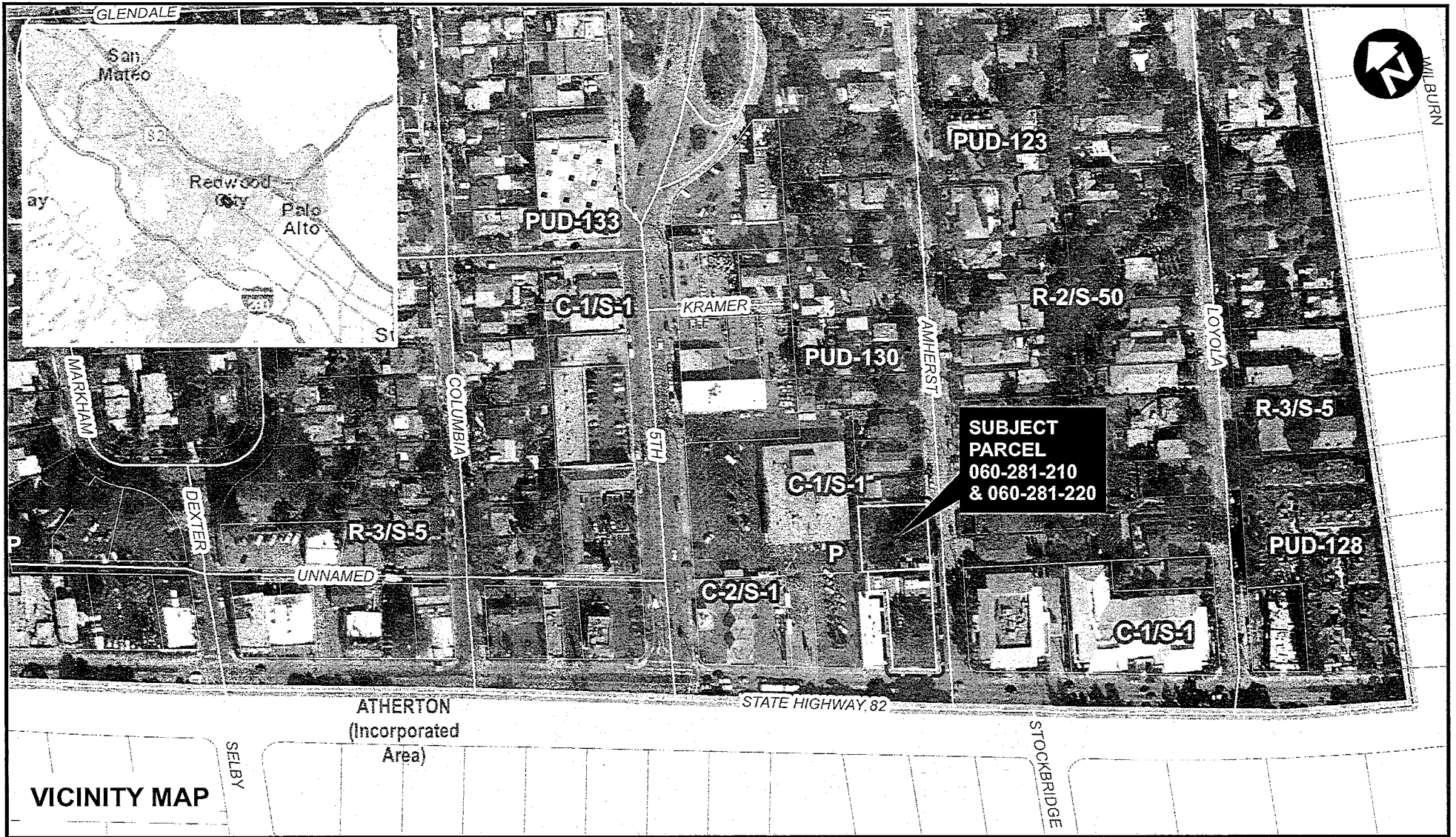
The Planning Commission, on a unanimous 3 to 0 vote, did not support staff's recommendation that the Planning Commission recommend that the Board of Supervisors approve the General Plan Amendment and Zoning Map Amendment for the 10,700 sq. ft. portion of the parcel at 3295 El Camino Real from Two-Family Residential to General Commercial and from "R-2/S-50" to "C-2/S-1." The Planning Commission determined that the proposed amendment would create a situation that would be incompatible with the goals and policies of the North Fair Oaks Community Plan and its implementation through the larger phased rezoning effort currently underway along the unincorporated El Camino/5<sup>th</sup> Avenue corridor. A rezoning of one parcel along the corridor would be premature without comprehensive consideration of the entire proposal for rezoning the area to CMU. Further, while they expressed no significant concerns about the current proposal for a parking lot, they shared the NFOCC's and the

neighbor's concern about the impact of other development that could be allowed in the future under the C-2/S-1 Zoning Designation on the adjacent residential area, since that zoning requires only a 6-foot rear setback and allows a three-story (36-foot) height limit for buildings housing commercial uses, without requiring any discretionary review, issues that are likely to be addressed when the proposed CMU Zoning is completed.

**ATTACHMENTS**

- A. Project Graphics
- B. Letter from Robert Carter to County Planning Commission, dated 5/23/17.

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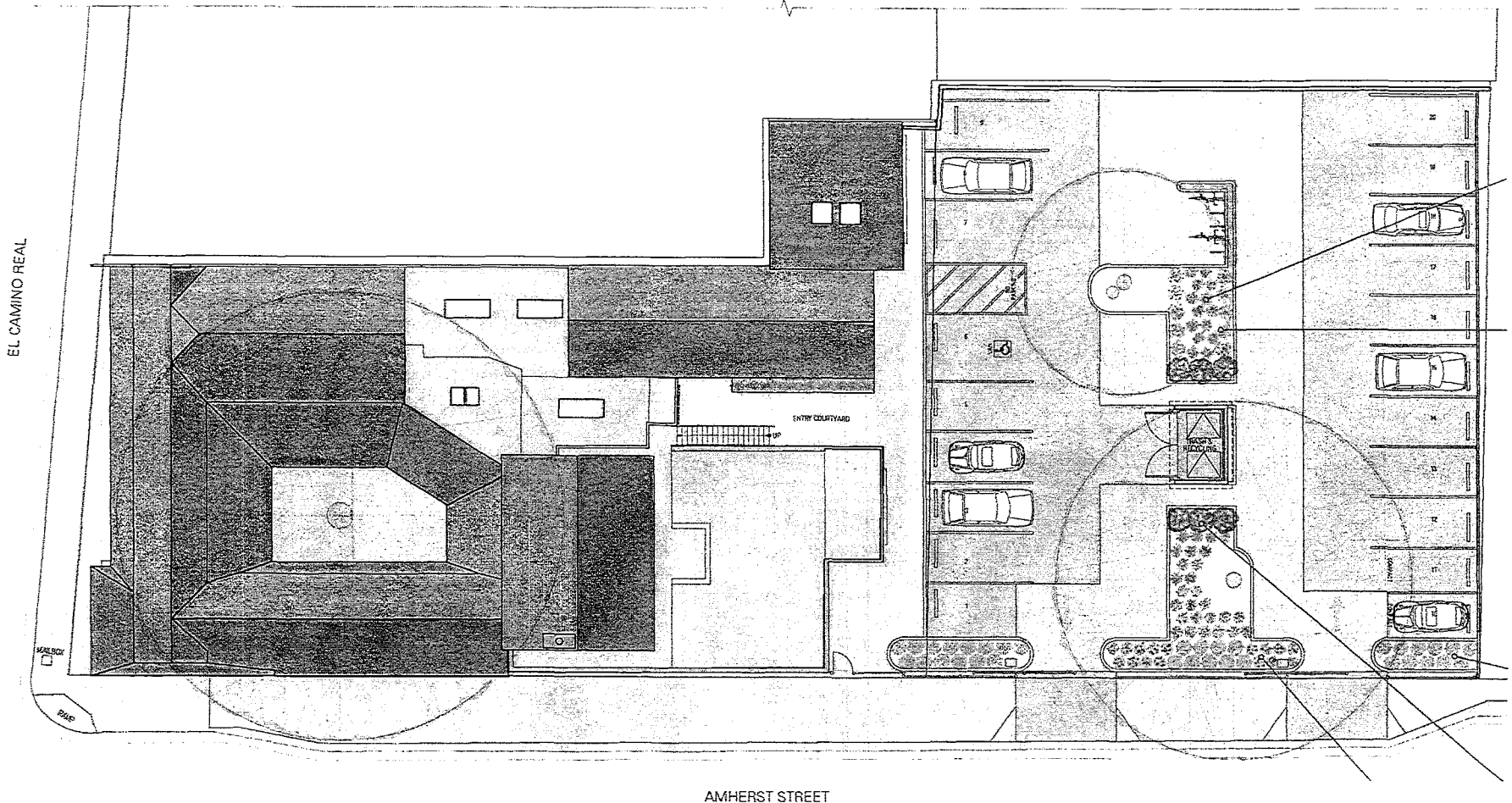


**San Mateo County Planning Commission Meeting**

Owner/Applicant: **Brognio/Darcck Pearl Investments LLC**

Attachment: **A**

File Numbers: **PLN2015-00512**

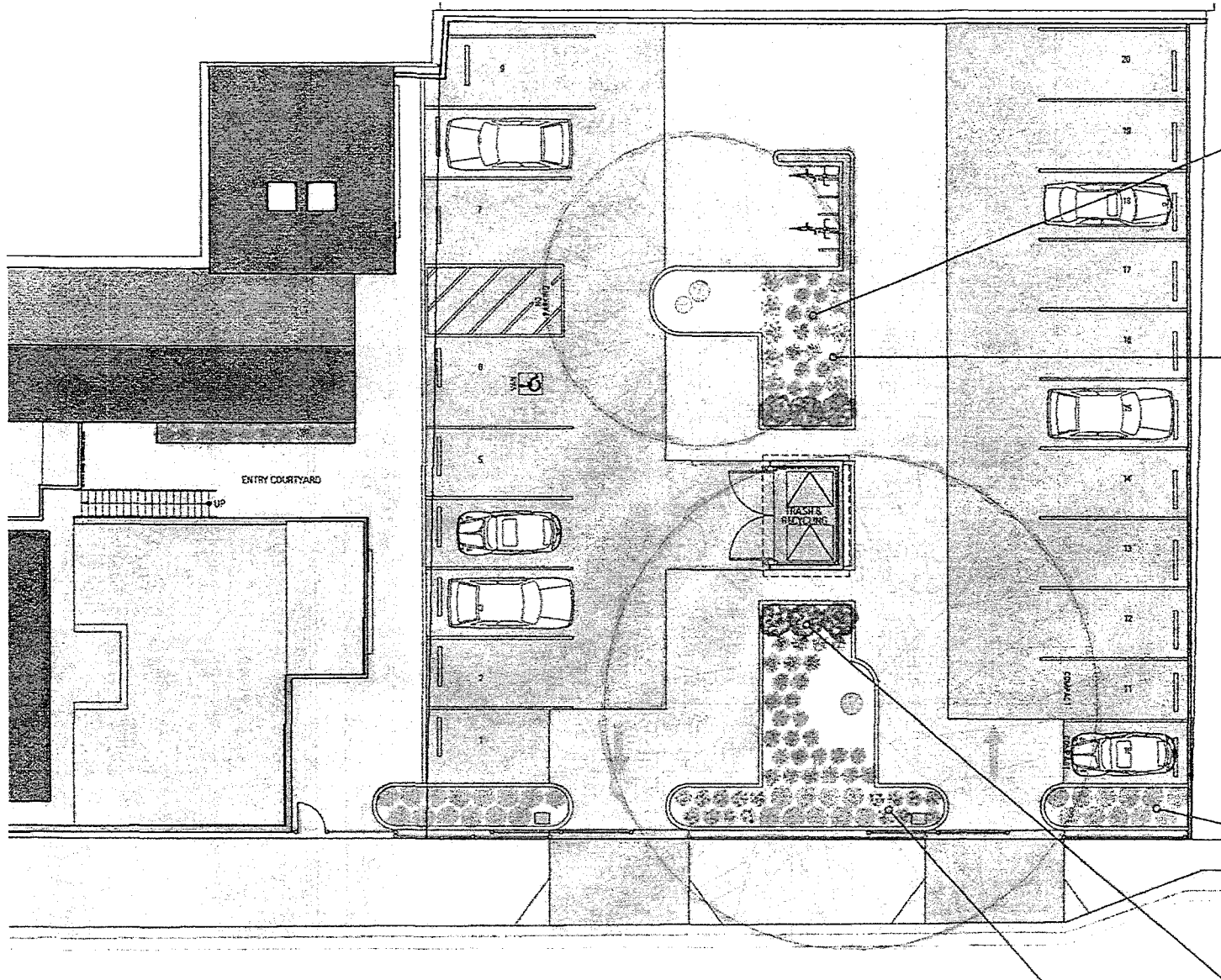


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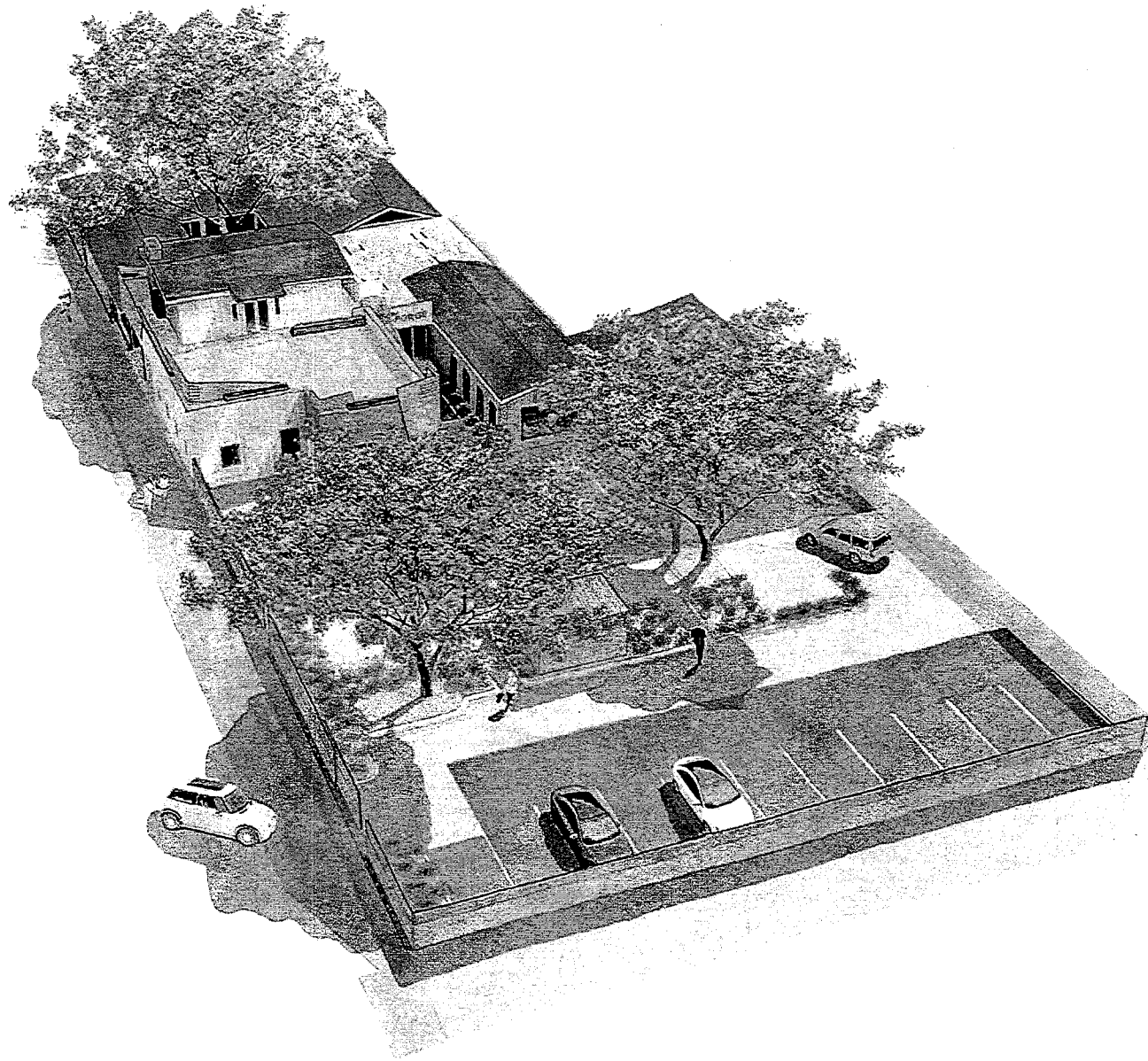


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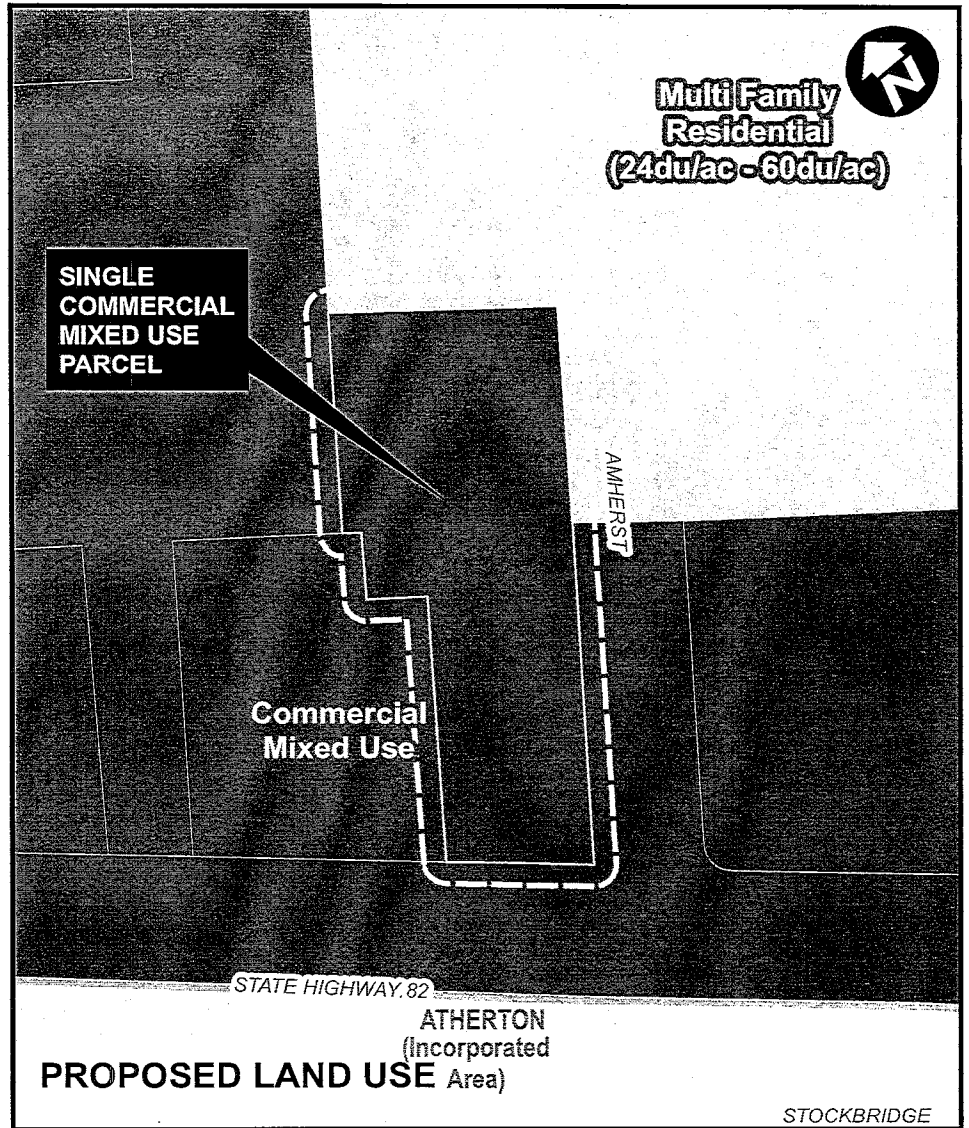
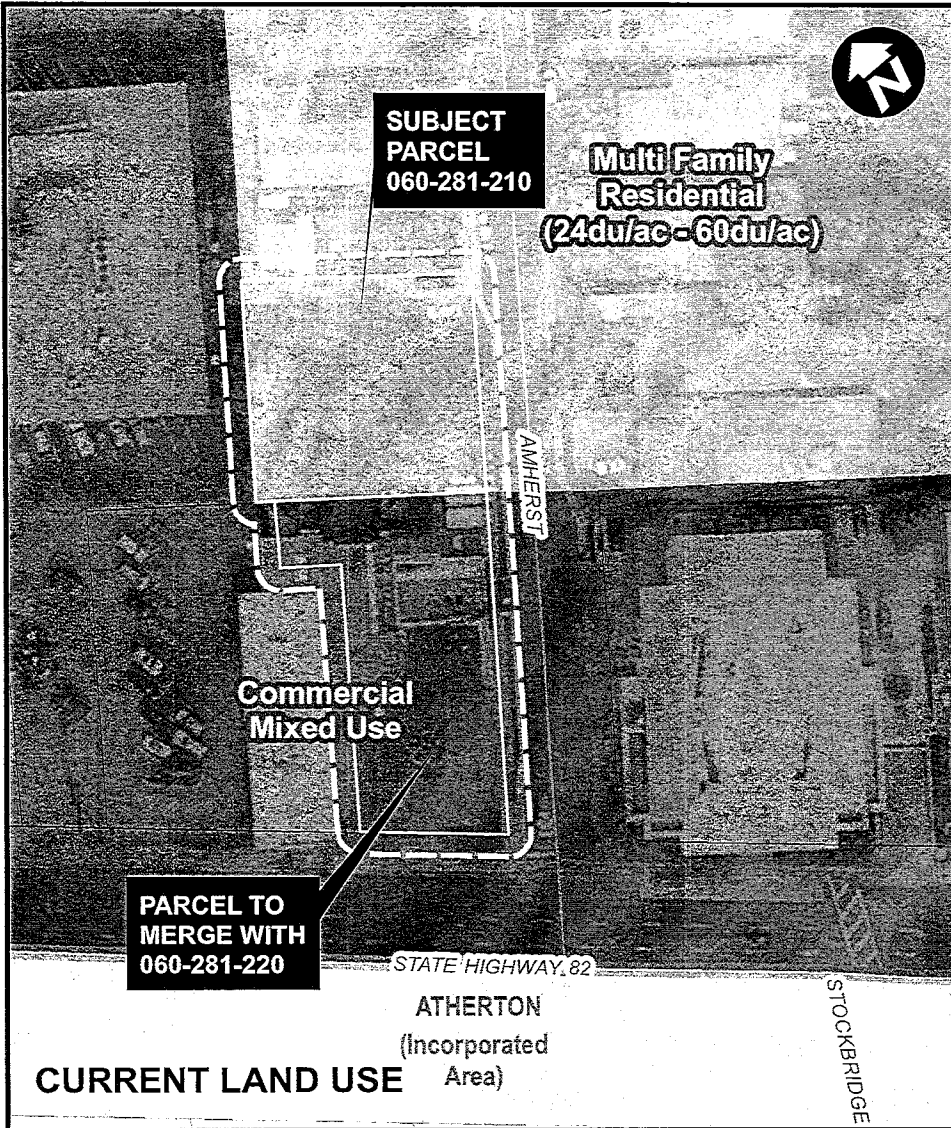
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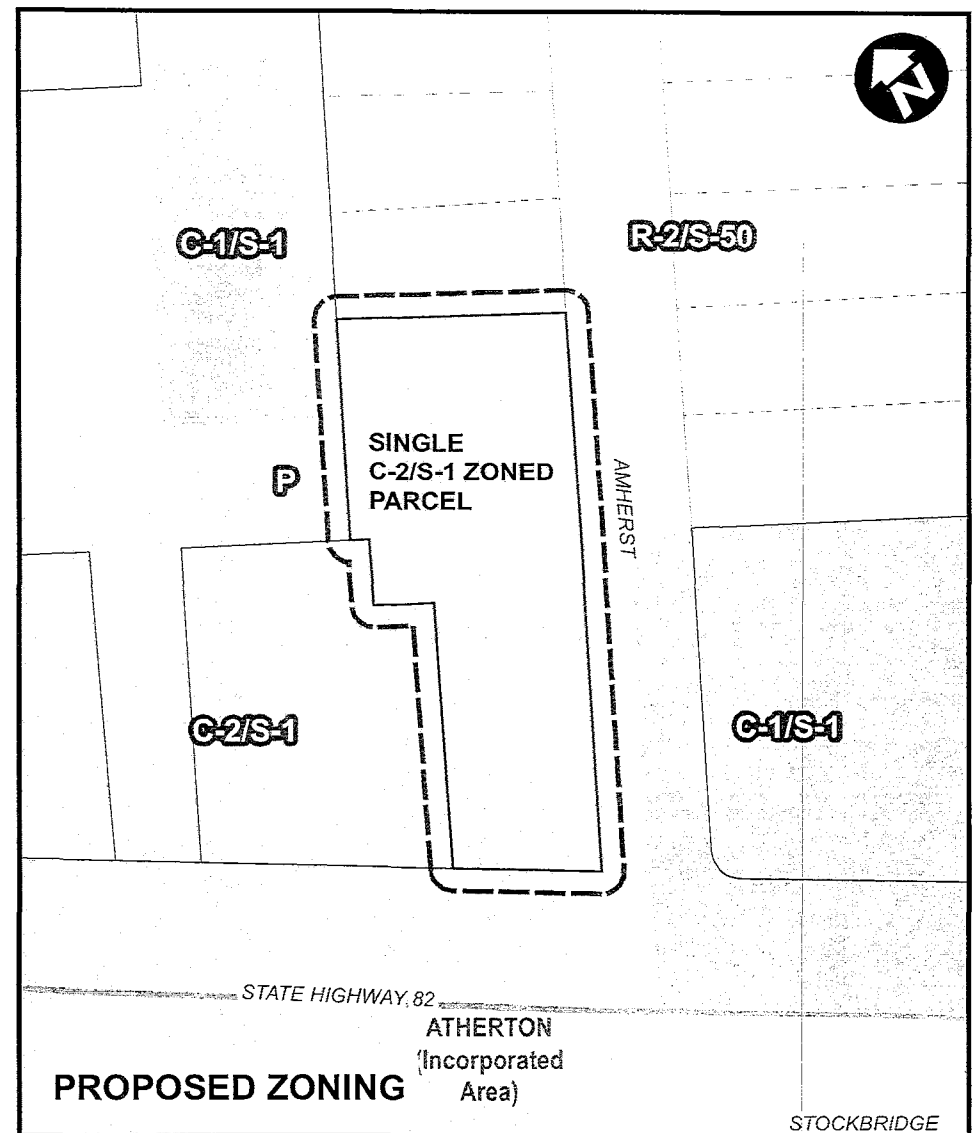
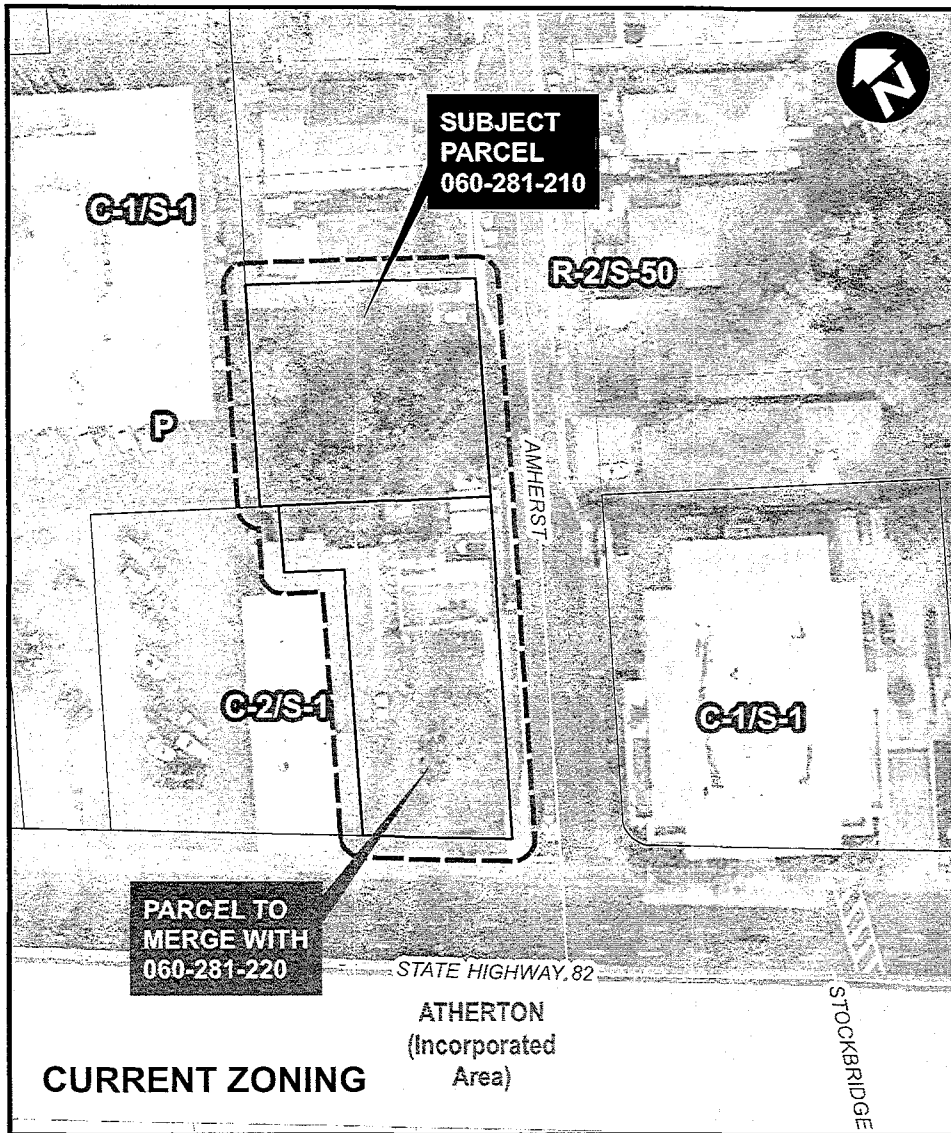


**San Mateo County Planning Commission Meeting**

Owner/Applicant: **Brogno/Darcck Pearl Investments LLC**

Attachment: **A**

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**San Mateo County Planning Commission Meeting**

Owner/Applicant: **Brogo/Darcck Pearl Investments LLC**

Attachment: **A**

File Numbers: **PLN2015-00512**

May 23, 2017

**To:** San Mateo County Planning Commission

**From:** Robert Carter  
41 Amherst Ave. adjacent to project – File #PLN2015-00512  
Menlo Park CA – 94025  
(650) 743-3655

**Dear Planning Commissioners,**

My wife and I live immediately adjacent to the parcel under consideration for rezoning from residential (R-2 / S-50) to General Commercial (C-2 / S-1). We have lived at this location since 1983 (34-years). Our neighborhood is a diverse mix of ethnicity, multi family, and single family homes over the years we've watched many families, some with kids move in long-term, and some not quite as long, what makes our neighborhood special is the people and the quality of residential life in our community. It hasn't always been easy as the parcel/business immediately adjacent to our home and more specifically the lot now under consideration for rezoning for commercial uses sits deep in our community (from El Camino Real) if you stood and looked directly across the street from the common property line toward El Camino Real there are three duplexes side by side past our home up to the commercially zoned area of El Camino Real. Now on the side of the street we occupy the proposal to convert the residential lot to commercial uses offsets the balance of residential and the alignment of residential and commercial uses in the neighborhood.

**BACKGROUND:** for many years I cleaned the residential lot we are talking about because the owners did not, the neighborhood kids played in the lot so quality of life was good then along comes Pool Patio and Things they bought the commercial property at 3295 El Camino Real and the adjacent residential lot under consideration, and proceeded to fence a large portion of the lot which of course was their right to do however it was never maintained after that! Quite frankly the owner who I shall not name in my public remarks wasn't willing to work with anyone in the neighborhood and didn't care what the impacts of their commercial operations were on the quality of life in our community. We subsequently filed numerous complaints over the years because of trash/unscreened trash enclosures, packing materials in the neighborhood although this wasn't the worst of it Pool Patio and Things would park big box vans immediately next to our fence line, and they had Delivery Trucks coming and going in the neighborhood and again this was on the residential lot deep in the community. Pool Patio and Things employees would also use the residential lot for parking and if anyone else in the neighborhood tried to use the street in front of this lot the owner would often times block their car with her own, and scream obscenities this level of commercial activity and behavior we had to put up with for years.

My wife and I and the members of our community are very reasonable but the negative impacts of the commercial uses deep in our community was/is completely unacceptable.

**COMMENTS / CONCERNS:** First I would like to start by saying that I have had numerous conversations with Planner/Bryan Albini he's professional, polite and a pleasure to work with! I have also had conversations with the property owner Robert Oyster he seems nice/reasonable enough and he said he would address one of our major concerns the fence however we have no documentation of this or what exactly the fence will be and where it will be placed:

**REZONING:** As mentioned we are reasonable people and in fact we don't have an objection to the residential lot being used for a 20-vehicle Parking Lot as proposed (with exception of the fence issues that need to be resolved), the screening of the Parking Lot, used for office use only and no retail activity adds to the quality of the life in our community as it provides for a more open feel and preserves two heritage trees we would welcome Robert Oyster into our community however my biggest concern isn't about the current project it's about the future when the commercial zoning regulations that are yet to be defined under the North Fair Oaks Community plan come into play and we/the community have to deal with the aforementioned commercial activities yet again on top of that the allowable commercial building height increases next to our home increasing the likelihood our home will be subject to shadowing, not attractive option since we currently have a view of the sky and trees looking west, and how will the commercial zoning immediately next to residential affect the property values?

**FENCE:** We do not have specifics for the common fence between our home and the 20-vehicle Parking Lot, we absolutely do not want to end up with two fences side-by-side we would like to have input in the construction and placement of the fence because it affects the quality and safety of our home. As the fence is proposed it is all wood which looks great but what happens when the parking blocks fall on the other side and someone drives through the fence? I have a young granddaughter who plays in the driveway so major safety concern for us, and who maintains the fence? Robert Oyster calls it a Good Neighbor Fence I don't know what this means one definition states neighbors split the cost of the fence which is something we should not have to do as this is his development project.

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Email between Bryan Albini and Robert Carter

**From:** Bryan Albini [<mailto:balbini@smcgov.org>]  
**Sent:** Wednesday, October 19, 2016 4:28 PM  
**To:** Robert Carter; Robert Oyster; Ken Brogno  
**Subject:** PLN2015-00512 (Parking Lot) - Neighbor concerns

Mr. Carter,

Thank you for sharing your concerns with me and your continued participation in working with the project applicant in understanding the project scope. I have included the illustrated site plan and renderings of the proposed parking area and fencing per your request. In our conversation, you indicated you wanted some clarification on the following issues:

- 1) Location of the trash enclosure (first site plan showed the dumpster along property line)
  - a. The revised site plan has relocated the trash enclosure to the center of the parking lot, in line with the existing large oak located toward the front of the property (see attached site plan)
    - ✓ **Looks Good**
  
- 2) The design of the “good neighbor fence”
  - a. The applicant has proposed a 6-foot tall wooden fence around the perimeter of the parking area with security gates for the entrance and exit driveways (see attached renderings)
    - ✓ **I do not agree with what is being proposed without documentation and clarity of what and how the fence is being constructed, and how it will be maintained.**
  
- 3) The possibility of restrictions on future development on that property and its proximity to adjacent residential
  - a. The property would be restricted to uses currently allowed under the C-2/S-1 zone. However, as I mentioned in our conversation, the County is in the process of implementing the zoning as identified in the NFO Community Plan, which currently includes the areas along El Camino Real and 5<sup>th</sup> Avenue under the Commercial Mixed Use (CMU) General Plan Land Use designation. During the implementation process, allowed uses and development standards will be further codified. While the development standards are currently being drafted, there will be opportunities for public comment and engagement through public workshops and public meetings at the local Community Council level, the Planning Commission, and finally, at the Board of Supervisors.
    - ✓ **Precisely my concerns with allowing commercial uses, not sure yet what I will comment on in the meeting. Please remind me what C-2/S-1 allows..... as discussed previously we also have expressed concerns with deliveries/trucks this deep in a residential neighborhood, and building heights.**
  
- 4) Will I be notified of the decision on this project and the larger rezoning effort?
  - a. As mentioned above every public hearing concerning both the project at 3295 El Camino and the implementation of the NFO Plan will require that surrounding residents be notified. Additionally, I have added you to our notification list for all future meetings concerning the CMU rezoning.
    - ✓ **Done**

Please contact me if you have any further questions about this specific project or the larger rezoning effort.

Regards,

**Bryan Albini**

Planner

[balbini@smcgov.org](mailto:balbini@smcgov.org)

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