



North Fair Oaks Community Council
San Mateo County Coordinated
Departmental Response



DATE: February 16, 2017
NFOCC MEETING DATE: February 23, 2016
SPECIAL NOTICE/HEARING: 10 days, within 300 feet
VOTE REQUIRED: Majority

TO: Members, North Fair Oaks Community Council

FROM: Planning Staff

SUBJECT: Use Permit Amendment to legalize the construction of staff resting quarters in association with an existing legal 10-room residential care facility. The project is located at 617 5th Avenue in the unincorporated North Fair Oaks area of San Mateo County

County File Number: PLN 2016-00030 (Rapadas)

PROPOSAL

The applicant is proposing to legalize a 474 sq. ft. single-story addition to an existing one-story legal detached garage (one-car) located at the rear of the property. The addition is used as staff quarters and includes two bedrooms, storage space, and a common area (the common area is being converted from an illegal third bedroom). The addition serves as resting quarters for staff who provide care for the clients of the onsite residential care facility.

RECOMMENDATION

That the North Fair Oaks Community Council provide a recommendation to the Zoning Hearing Officer on the proposed legalization of an addition which intensifies the use of the existing residential care facility

BACKGROUND

Report Prepared By: Olivia Boo, Project Planner, Telephone 650/363-1818

Owner/Applicant: Victor Bumanglag/Jaime Rapadas

Location: 617 5th Avenue, Redwood City, California

APN: 060-034-080

Parcel Size: 16,597 sq. ft.

Existing Zoning: R-1/S-73 (Single-Family Residential)

General Plan Designation: Single -Family Residential (15du/ac-24du/ac)

Existing Land Use: Single-Family Residence converted to a 10-room Residential Care Facility, in operation since 1955.

Water Supply: Existing service by California Water Service

Sewage Disposal: Fair Oaks Sewer District

Flood Zone: Zone X (area of minimal flood hazard); Community Panel No. 06081C0302E, effective October 16, 2012

Environmental Evaluation: Categorically exempt pursuant to Section 15301, Class 1(a)(e)(2) of the California Environmental Quality Act (CEQA), related to the additions to existing structures provided that the addition will not result in an increase of more than 10,000 sq. ft. if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan.

Setting: The project site is a flat parcel located on 5th Avenue near the intersection of Edison Way. Railroad tracks exist to the south. Single family residences and a few high density residential housing structures exist to the west, north and east. Industrial and commercial uses exist on the other side of the railroad tracks.

Chronology:

<u>Date</u>	<u>Action</u>
May 5, 1955	- Original Use Permit, County File Number: UP 1164, approved to operate a residential care facility for eight residential guests
August 21, 1957	- Use Permit Amendment to allow the residential care facility to house no more than 15 residential patients, Board Resolution.
March 20, 2003	- Off-Street Parking Exception approved for the construction of a new one-car garage to replace the existing, non-conforming garage, County File Number: PLN2003-00161.

- October 3, 2014 - Stop Work Notice (SWN 2014-00132) issued for the unpermitted garage addition. The illegal addition is being used as habitable living space, three bedrooms and one bathroom. The illegal addition was found upon inspection of a separate building permit for solar panels (County File Number: BLD2014-01003).
- October 6, 2014 - Building Permit (BLD 2014-001825) opened to demolish the unpermitted three bedrooms and one bathroom addition, to resolve the Stop Work Notice (SWN 2014-00132). Planning Staff informed the applicant in order to legalize the three bedrooms and storage area, a Use Permit Amendment application submittal to the Planning Department is required.
- January 27, 2016 - Planning application received for subject Use Permit Amendment to legalize two bedrooms, storage space and common area.
- April 1, 2016 - Application deemed complete.
- February 23, 2017 - North Fair Oaks Council Meeting

DISCUSSION

A. KEY ISSUES

1. Compliance with the General Plan

Policy 4.36 (Urban Area Design Concept) seeks to maintain the visual character of development in urban areas and ensure that new development is designed and constructed to contribute to the orderly and harmonious development of the locality.

The project site is located within the urban residential community of North Fair Oaks. The addition is constructed of materials and colors that match the existing residential care facility, blend well with the existing structure and complies with the required setbacks. The project will be conditioned to require colors and materials verification prior to a building permit final inspection; colors and materials shall match that of the existing buildings.

Policy 8.39 (Height, Bulk, and Setbacks) regulates height, bulk, and setback requirements in zoning districts in order to: 1) ensure that the size and scale of development is compatible with the parcel size, 2) Provide sufficient light and air in and around the structure, and 3) ensure public health and safety.

The addition to be legalized complies with the height, bulk, and setback requirements of the S-73 Zoning District, discussed in Section A.2., below. The addition is setback 5 feet from the main building and 5 feet from the rear boundary line (5 feet is the required minimum for each setback). Setbacks between the addition and the main building provides adequate light and air between the structures and within the property overall. The one-story addition is modest in size and scale to both the main building and overall property. The subject parcel is larger than most in the vicinity at 16,597 sq. ft. The total square footage of all structures covers less than 50% of the parcel. The addition to be legalized is minimally visible from the 5th Avenue public right-of-way and, given its location, is setback over 50 feet from the front property line. It is partially screened by the existing main building and also by existing mature trees in the front and left side yards. The addition has been reviewed by the Building Department for building code compliance and Redwood City Fire Department at the building permit stage for fire compliance to ensure public health and safety. The existing exterior paint color of the accessory building already matches the main building and its use is an enhancement to the patients of the care facility by providing on-site sleeping/rest accommodations for the staff of the care facility. The project will be conditioned to continue to maintain matching colors and materials.

2. Compliance with the Zoning Regulations

a. Development Standards

The project parcel is zoned R-1/S-73 (Residential Combining District). The applicant requests a Use Permit Amendment to legalize an addition of two bedrooms, one bathroom, storage space and common area, all attached to an existing detached garage. There are no changes proposed to the main structure. The two bedrooms will be used as rest areas during staff work shifts. The bedrooms are not intended to serve as on site living quarters.

S-73 Development Standards			
	Required	Existing	Proposed
Minimum Lot Width	50 ft.	138.31 ft.	No change
Minimum Building Area	5,000 sq. ft.	16,597 sq. ft.	No change

S-73 Development Standards			
	Required	Existing	Proposed
Minimum Front Yard Setback	20 ft.	50 ft.	No change
Minimum Side Yard Setbacks Left Side Right Side	5 ft.	80 ft.	No Change
	5 ft.	50 ft.	No Change
Minimum Rear Yard Setback	20 ft.	See accessory structure compliance	N/A
Maximum Lot Coverage	50%	25.7%	26.8%
Maximum Floor Area	33.8%	27%	27%
Maximum Building Height	28 ft.	13 ft.	No change

Accessory Structure Standards			
	Required	Existing	Proposed
Minimum Front Yard Setback	Rear half of lot (60 ft.)	100 ft.	No change
Minimum Rear Yard Setback	3 ft.	5 ft.	No change.
Minimum Side Yard Setbacks Left Side Right Side	3 ft.	80 ft.	No Change
	3 ft.	50 ft.	No Change

3. Compliance with the Parking Regulation

As stated in the Parking Policy for Residential Care Facilities:

Buildings constructed to be residential care facilities with no live-in attendants or owners shall require only uncovered parking (one space for each five beds); Covered parking must meet all requirement of the Zoning Ordinance. Per the Parking Policy and Zoning Regulations Section 6119 (Parking Regulations), the 10 bed facility requires two uncovered parking spaces. The property has tandem parking on site, which includes an existing one car garage and three uncovered parking spaces. Staff has determined the existing parking to be in compliance with Parking Policy requirements.

4. Compliance with Use Permit Findings

Section 6500 (Use Permits) of the Zoning Regulations allows the granting of a Use Permit amendment to intensify an existing use by making the following findings:

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

Legalizing the addition, allowing the continued use of the two bedrooms, storage space and common area, will not be detrimental to the public welfare. The two bedrooms and common area provide staff a resting place during their shift in caring for patients at the care facility. The addition to be legalized is located in the rear of the property and minimally visible to the public as viewed from 5th Avenue, public right-of-way. The project has been reviewed by the Building Department and Fire Department to ensure the project will not be detrimental to the public welfare or injurious to the property or improvements.

ATTACHMENTS

- A. Vicinity Map
- B. Site Plan
- C. Floor Plan
- D. Floor Plan/Elevations (Existing and Proposed)
- E. Site Photos

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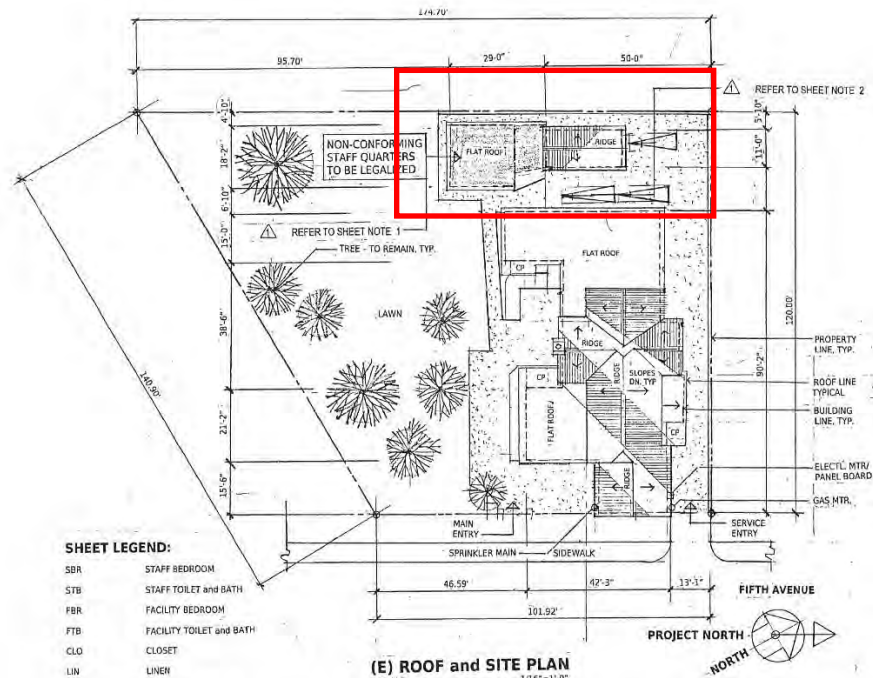


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Attachment: _____

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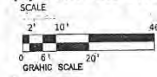
SHEET LEGEND:

- SBR STAFF BEDROOM
- STB STAFF TOILET and BATH
- FBR FACILITY BEDROOM
- FTB FACILITY TOILET and BATH
- CLO CLOSET
- LIN LINER

BROOM FINISH CONC FINISH
 TYP. THROUGH OUT. OPEN
 PATIOS, DRIVEWAY, SERVICE/
 PARKING AREA WITH BRICK/ GRAVEL
 WASHOUT BORDER FINISH
 ON/STP WALKWAYS

- CP COVERED PORCH
- DN DOWN
- TYP TYPICAL
- MTR METER

(E) ROOF and SITE PLAN



PROJECT DATA

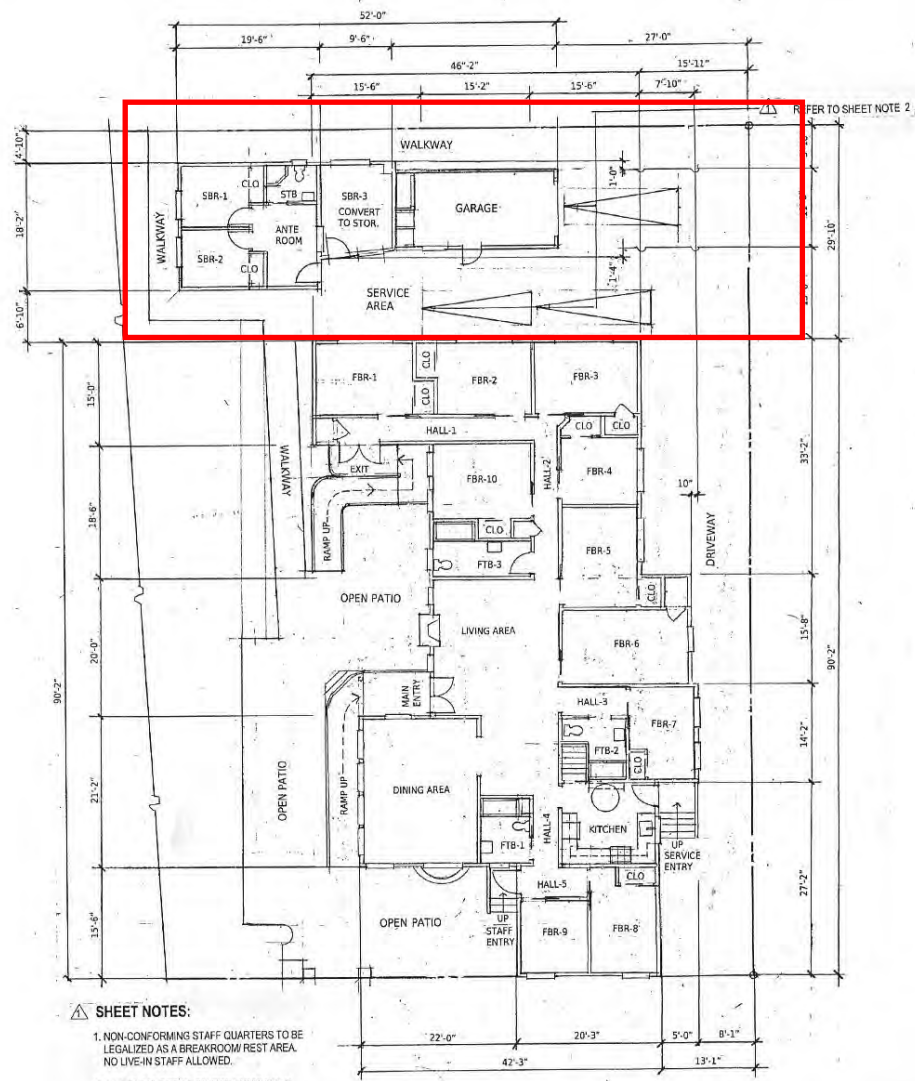
LOT SIZE	16,597 SF	
A PARCEL NO	D60-034-080	
ALLOWABLE BUILDING FLOOR AREA	5,615 SF	
(E) EXISTING BUILDING COVERAGE	3,227	
ONE STORY HABITABLE FACILITY		
DETACHED STAFF QUARTERS TO BE RENOVATED	474	
DETACHED GARAGE	253	
COVERED PORCHES	147	
TOTAL (E) BLDG. COVERAGE	4,101 SF	
PROPOSED RENOVATION: STAFF QUARTERS	354 SF	
(N) NEW STORAGE SPACE	120	
LOT COVERAGE	PERCENT OF LOT	
BUILDING	25% (NO CHANGE)	4,101 SF
HARDSCAPE	29% (NO CHANGE)	4,766
SOFTSCAPE	46% (NO CHANGE)	7,729
TOTAL	100%	16,596 SF
ZONE	RU S73	
TYPE OF CONST :	V-N with FIRE SPRINKLER	
CODES	2013 CBC, CMC, CPC, CEC and TITLE-24 EFFICIENCY STDS; COUNTY of SAN MATEO ZONING REGULATIONS	

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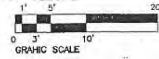
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- △ SHEET NOTES:**
1. NON-CONFORMING STAFF QUARTERS TO BE LEGALIZED AS A BREAKROOM/REST AREA. NO LIVE-IN STAFF ALLOWED.
 2. PROVIDE THREE (3) ON-SITE UNCOVERED PARKING.

(E) FACILITY FLOOR PLAN
SCALE 1/8"=1'-0"



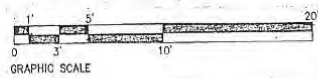
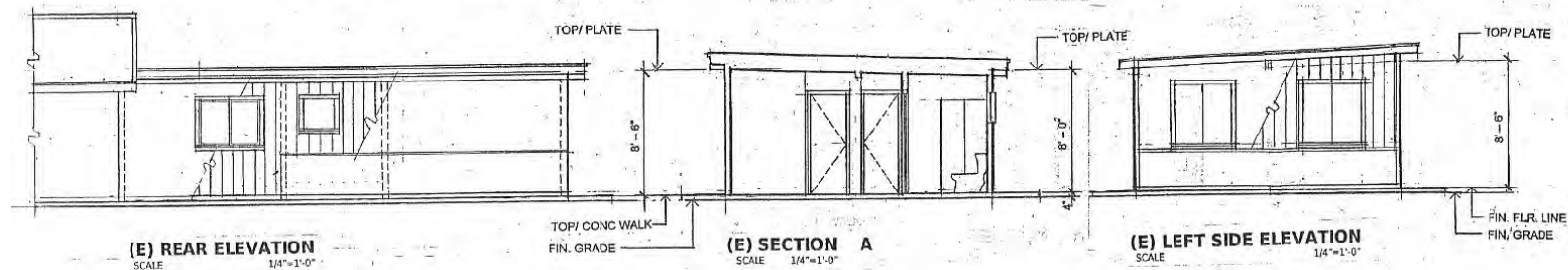
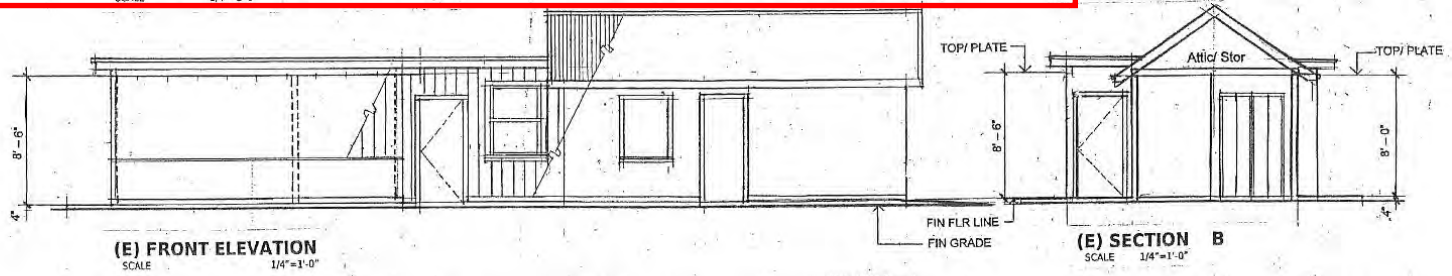
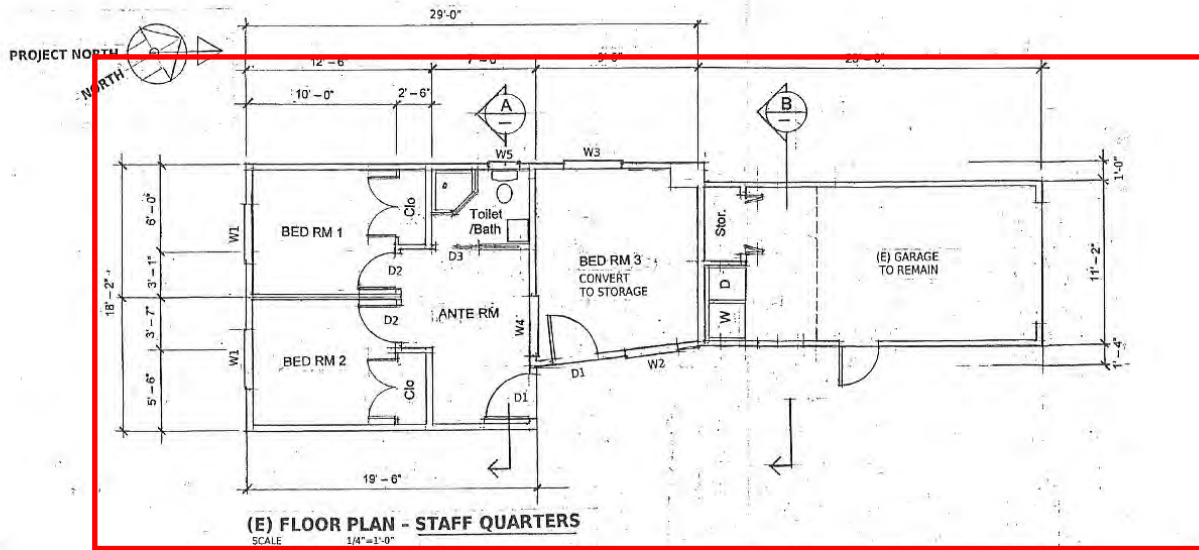
- DRAWING INDEX:**
- A-1 (E) FACILITY FLOOR PLAN; (E) ROOF and SITE PLAN; PROJECT DATA; VICINITY MAP; SHEET LEGEND
 - A-2 (E) FLOOR PLAN, ELEVATIONS and SECTIONS - NON-CONFORMING STAFF QUARTERS; (E) DRAINAGE PLAN; SHEET LEGEND
 - A-3 (N) FLOOR PLAN, ELEVATIONS and SECTIONS - STAFF QUARTERS for LEGALIZATION; SCOPE of WORK; SHEET LEGEND

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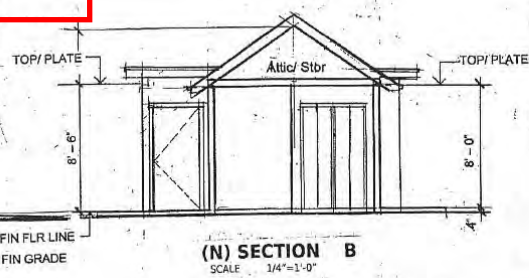
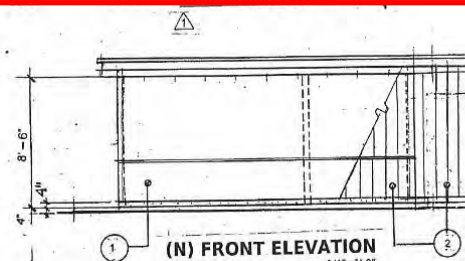
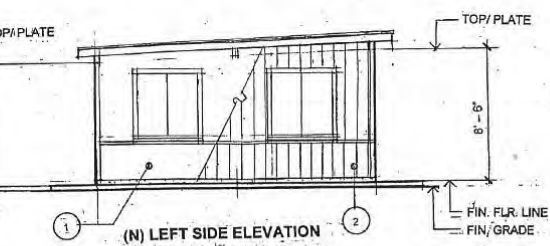
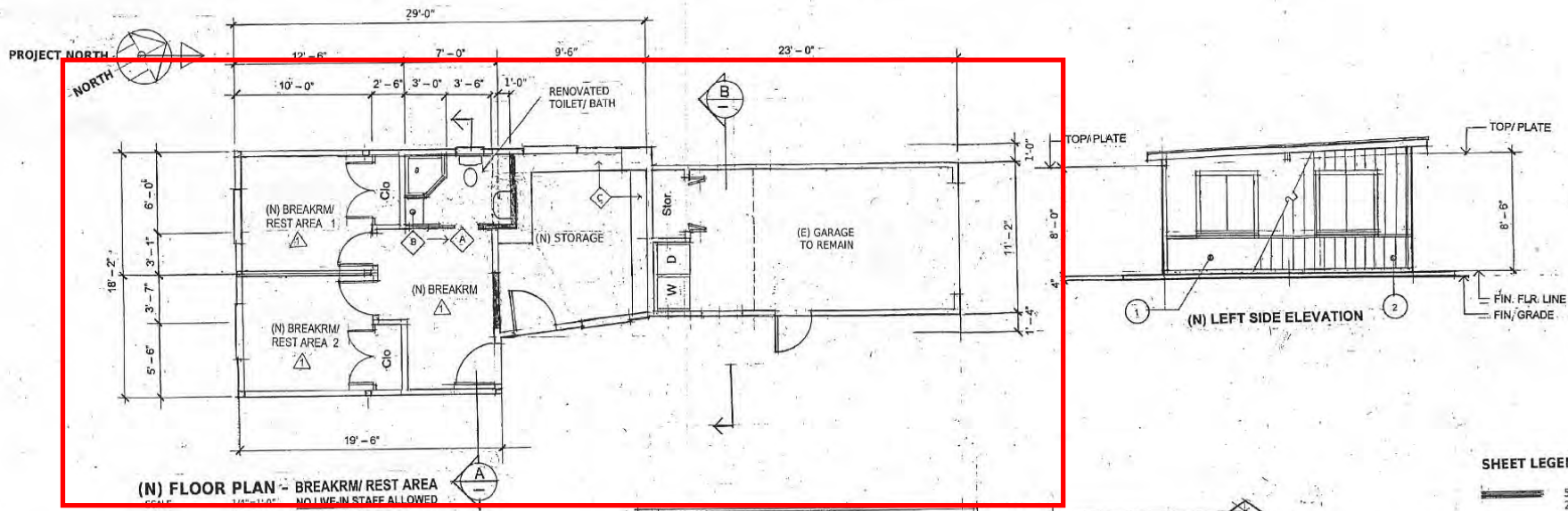


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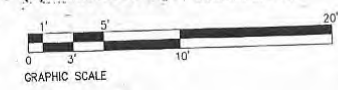
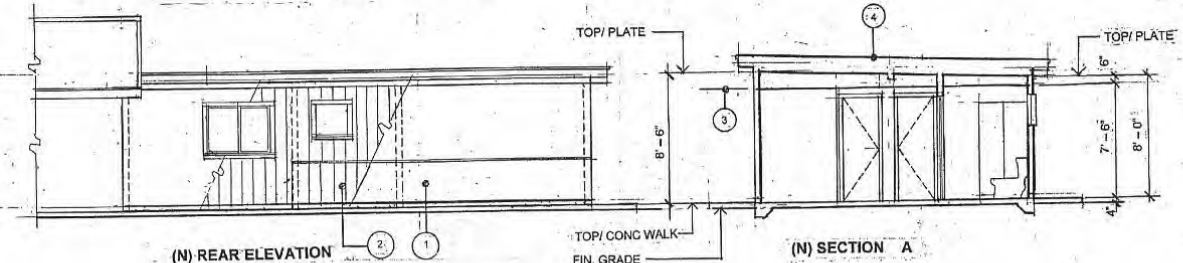
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- SHEET LEGEND:**
- 5/8" GYP BD. BOTH SIDES OVER 2"X4" STUDS @ 16" O.C. PROVIDE R13 INSULATION AS REQUIRED
 - (E) WALL PARTITION TO BE REMOVED
 - (E) 2'6 6/8 POCKET DOOR RELOCATED
 - (N) TOWEL SHELVES
 - (N) STORAGE SHELVES



- SCOPE of WORK:**
- 1 REMOVE EXISTING (E) PLYWOOD SHEATHING and PROVIDE (N) 4" X 8" CONC. CURB AROUND. (N) and (E) 2" X STUDS @ 16" o.c. SHALL BE QN (N) 2" X PTFD ANCHORED PLATES.
 - 2 (N) SIDINGS TO MATCH (E); CONTRACTOR TO VERIFY EXISTENCE OF R-13 WALL INSULATION and PROVIDE AS REQUIRED.
 - 3 (N) CEILING LINE IF REQUIRED TO ALLOW FOR R-30 INSULATION THROUGH OUT STAFF QUARTERS INCLUDING TOILET/ BATH
 - 4 (E) ROOF SYSTEM SHALL BE REMOVED and REPLACED WITH (N) TAR and GRAVEL DUILT-UP SYSTEM.

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