

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

**DATE:** August 23, 2023

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a request by the San Mateo County Real Property Division (Real Property) pursuant to Government Code Section 65402 to determine whether the proposed purchase of 3009 and 3017 Middlefield Road (Assessor's Parcel Numbers 060-053-080 and 060-053-100), and 401 2nd Avenue (Assessor's Parcel Number 060-053-060) conforms to the County General Plan.

County File Number: PLN 2023-00230 (SMC Real Property Services)

**PROPOSAL**

The County Real Property Division is requesting, pursuant to Government Code Section 65402, determination of whether the County of San Mateo's proposed purchase of 3009 and 3017 Middlefield Road (Assessor's Parcel Numbers 060-053-080 and 060-053-100), and 401 2nd Avenue (Assessor's Parcel Number 060-053-060) conforms to the County General Plan.

**RECOMMENDATION**

Find and determine that pursuant to California Government Code Section 65402, the County of San Mateo's proposed purchase of 3009 and 3017 Middlefield Road (Assessor's Parcel Numbers 060-053-080 and 060-053-100), and 401 2nd Avenue (Assessor's Parcel Number 060-053-060) conforms to the County General Plan.

**BACKGROUND**

Report Prepared By: Katie Faulkner, Planner III

Applicant: San Mateo County Real Property Services

Owner: Raza Development Fund Inc, and Francisco Chavez and Anita N. Chavez

Public Notification: Ten (10) day advanced notification for the hearing was mailed to property owners within 300 feet of the project parcel and a notice for the hearing was posted in the San Mateo Times for general public circulation.

Location: North Fair Oaks

APN(s): 060-053-080, 060-053-100, 060-053-060

Size: approximately 0.473 acres

Existing Zoning: NMU/DR, Neighborhood Mixed Use - Design Review Zoning District

General Plan Designation: Medium Density, Neighborhood Mixed Use

Sphere-of-Influence: Redwood City

Existing Land Use: Commercial and retail sales

Water Supply: California Water Service - Bear Gulch

Sewage Disposal: Fair Oaks Sewer District

Environmental Evaluation: A report that the potential acquisition of property conforms to the County General Plan is not a “project” within the meaning of the California Environmental Quality Act (CEQA) Guidelines and is exempt from environmental review under the “common sense exemption” that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)). Any future action on the subject properties would be subject to applicable CEQA requirements.

Setting: The properties are situated on Middlefield Road in a mixed-use area that includes commercial and residential development.

## **DISCUSSION**

### **A. KEY ISSUES**

#### **1. Project Description**

The subject Properties consist of three contiguous, irregularly shaped parcels with a combined total area of approximately 0.473 acres. The improvements on the Properties consist of one two-story building with a mezzanine area, three sheds, and one one-story building, constructed in 1948 and 1980, with a gross building area of 11,888 square feet. The Properties are mixed-use properties with current onsite operations consisting of commercial and retail sales.

The County of San Mateo has entered into an agreement to purchase the subject property, based on the determination that property is an appropriate location for future County operations and programs to serve the North Fair Oaks community. Potential specific uses have yet to be identified and additional facilities and/or other community serving uses are to be determined. The County will go through a future process to identify a permanent use, but the properties' location in the heart of North Fair Oaks and along the Middlefield Road commercial corridor provides opportunities for a wide range of uses and/or services that would be of direct benefit to the local community.

Pursuant to Government Code Section 65402, any acquisition of property by the County for public purposes must be assessed for conformity with the General Plan of the jurisdiction in which the property is located, in this case the County's General Plan. The County will conduct a process to identify a permanent use and any associated redevelopment of the property, and that process will consider the policies of the County's General Plan. Additionally, the impacts of a future project will be subject to review under the California Environmental Quality Act.

2. General Plan Analysis

The proposed property acquisition potentially implicates the following General Plan policies:

a. Land Use Designation

The land use designation for the subject properties is Neighborhood Mixed Use. Per North Fair Oaks Community Plan, the Neighborhood Mixed-Use land use designation allows a medium-density mix of locally oriented uses including commercial, residential, and public uses to serve the daily needs of both residents and visitors to the area.

b. North Fair Oaks Community Plan, Land Use Designation Policies

Policy 1A: Allow and promote appropriately scaled mixed-use development along Middlefield Road, El Camino Real, and along segments of Edison Way and 5th Avenue, to encourage a range of commercial, residential, institutional, and industrial (by conditional use permit) development and community facilities.

Discussion: The Neighborhood Mixed-Use land use designation allows locally oriented public uses on the subject properties, and Policy 1A also encourages institutional development and community facilities. This is consistent with the intended use of the property for

County operations and programs that would serve the local community.

3. General Plan Policies Relevant to a Future Project

The General Plan, and the North Fair Oaks Community Plan in particular, includes many relevant policies that should be considered in the process to determine a permanent use and redevelopment plans for the site. Relevant policies that should be considered when designing a future project for this site should include:

a. North Fair Oaks Community Plan, Land Use Designation Policies

Neighborhood Mixed-Use Development Standards: The allowed floor area ratio (FAR) for Institutional uses on the subject properties is 0.75, the maximum building height is 40 feet (approx. 3 stories), and required parking is 1 space per 500 square feet. For Mixed-Use, the allowed FAR is 1.5, the maximum building height is 40 feet (approx. 3 stories) and required parking is 1 space per unit for residential use and 1 space per 1,000 sq. ft. for non-residential use.

Policy 1D: Ensure that the design of the public and private realm land uses along residential and commercial streets promotes safe, convenient, and well-integrated walking, bicycling, and public transit use.

Policy 1E: Ensure that all new commercial, institutional, industrial, and mixed-use development provides space for or contributes to the creation of community-oriented facilities (i.e., pocket parks, community gardens, plazas, community gathering spaces, and other facilities).

b. North Fair Oaks Community Plan, Circulation and Parking

Policy 4G: Require that new development projects improve access to and accommodations for public transit.

Policy 5P: Require effective and meaningful Transportation Demand Management (TDM) programs for new higher intensity development. Monitor effectiveness of required TDM programs and modify requirements as needed to ensure that demand management is achieving goals, including potential performance standards to help achieve real results.

c. North Fair Oaks Community Plan, Infrastructure Polices

Policy 5C: Continue to require new developments that might result in an increase in stormwater runoff to provide onsite detention facilities to address increased flows. The on-site detention facilities (tank, oversized pipes, or other facilities) shall be sized so that the new development does not cause an increase of flow into the storm drain system.

d. North Fair Oaks Community Plan, Health and Wellness Polices

Policy 1D: Develop additional parks, open space, or greenways along the Hetch-Hetchy right-of-way.

Policy 8D: Partner with the San Francisco Public Utilities Commission (SFPUC) to create trail segments or pocket parks along the Hetch-Hetchy right-of-way.

Policy 21H: Ensure that any new developments or redevelopments include “green” features such as rainwater collection, green roofs, bicycle storage, alternative energy systems, and others. Specifically encourage features that reduce reliance on non-renewable sources of energy.

Policy 21I: Encourage, as part of new development projects, and as part of public and private right-of-way improvements, installation of Electrical Vehicle (EV) charging stations, and/or provisions of infrastructure (including appropriate conduit) for future installation of EV charging stations, to provide opportunities for future EV charging without requiring retrofitting of existing facilities.

B. ALTERNATIVES

The alternative to a report of conformity with the General Plan is for the Planning Commission to report that the proposed acquisition does not conform to the policies of the County General Plan.

C. ENVIRONMENTAL REVIEW

A report that the proposed acquisition of property conforms to the County General Plan is not a “project” within the meaning of the CEQA and is exempt from environmental review under the “common sense exemption” that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)). Any future action on the subject property would be subject to applicable CEQA requirements.

D. REVIEWING AGENCIES

County Attorney's Office

**ATTACHMENTS**

- A. Recommended Finding
- B. Location and Site Map

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

# **ATTACHMENT A**

County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDING**

Permit or Project File Number: PLN 2023-00230      Hearing Date: August 23, 2023

Prepared By: Katie Faulkner, Planner III      For Adoption By: Planning Commission

**RECOMMENDED FINDING**

Find and determine that the County of San Mateo's proposed purchase of 3009 and 3017 Middlefield Road (Assessor's Parcel Numbers 060-053-080 and 060-053-100), and 401 2nd Avenue (Assessor's Parcel Number 060-053-060) conforms to the County General Plan policies.

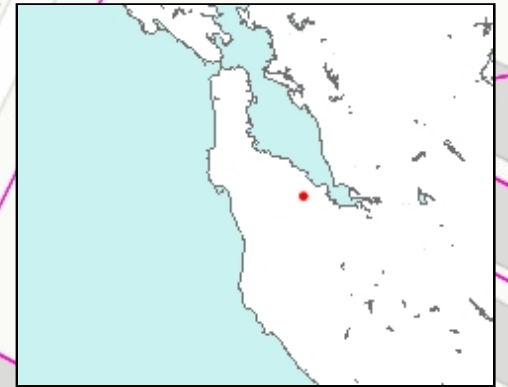
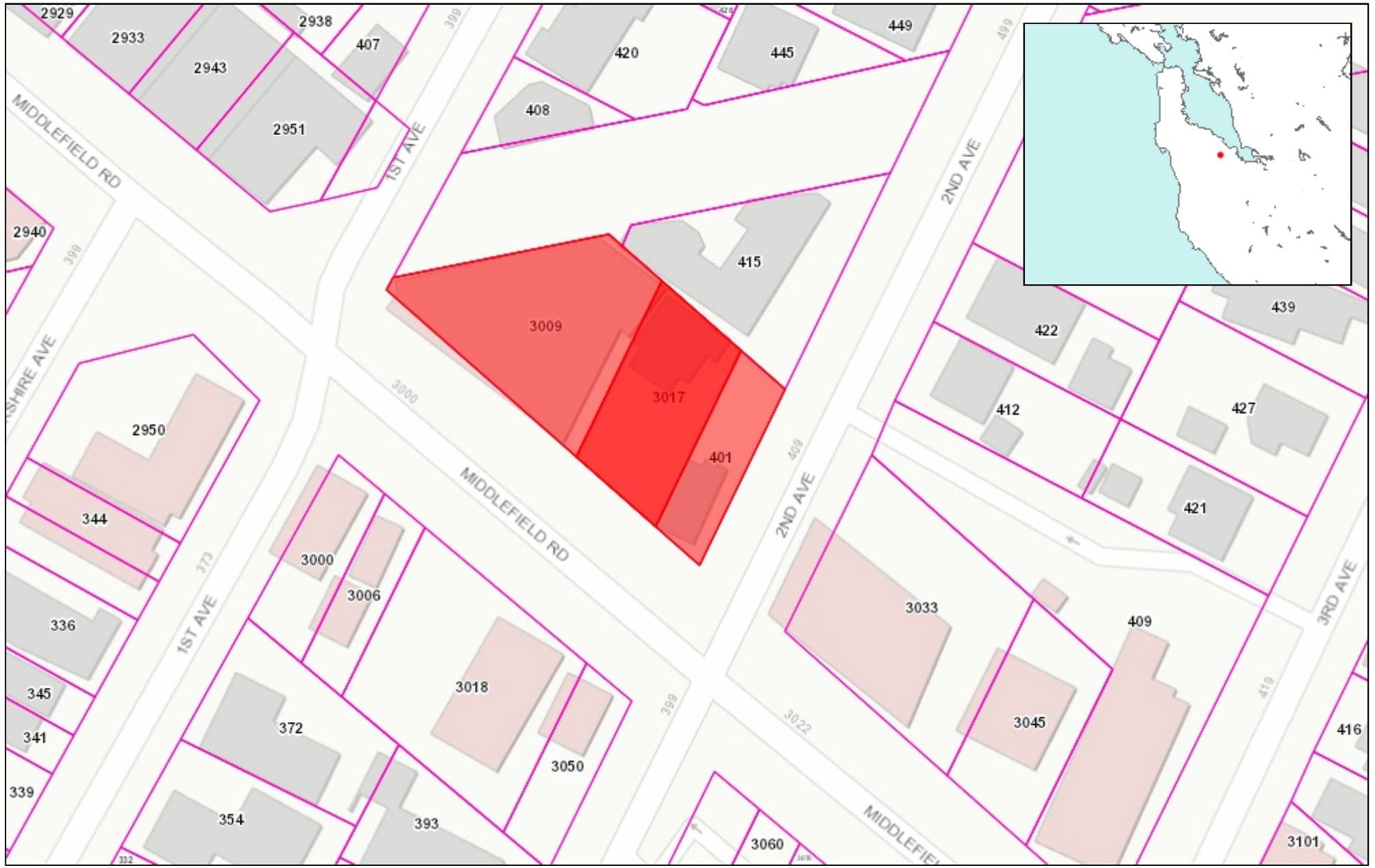
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**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

# **ATTACHMENT B**



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