



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 10/07/03
AGENDA ITEM 2
WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Appeal of Planning Commission Approval of Administrative Use Permit Application No. PL-2003-0306 – Request to Eliminate Front Yard Landscaping and to Reduce Rear Yard Landscaping – Ghulam Azad (Appellant), Azizi Wassim (Owner) – The Property Is Located at 22974 Mission Boulevard at Douglas

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution finding the project categorically exempt from CEQA review and upholding the Planning Commission's approval action.

DISCUSSION:

Background

On May 22, 2003, the appellant submitted an application for an administrative use permit to construct a building to be used as an auto glass repair shop on a 10,000 square-foot vacant parcel. During the initial review period, a member of the public indicated that the project should not be approved administratively due to the "unattractive building." Consequently, staff scheduled the matter before the Planning Commission on July 24 to provide for a public forum.

The pre-application process had been fraught with delays relating to suggestions for building redesign, site design issues, modifications relating to a requested dedication of right-of-way, and a change of architects. Because of the appellant's concern about what he considered considerable expense involved in modifying plans in accordance with staff's recommendations and due to his desire to facilitate the review process, staff proposed a site configuration that met or exceeded all the City's site requirements. The plan included a 10-foot-deep front yard landscaped area and an 18-foot-deep landscaped buffer along the rear property line adjacent to a residential use. The appellant agreed to bring that staff-supported scheme forward to the Planning Commission at its July 24 meeting, but during the hearing he wavered on the amount of landscaping being considered, indicating that the amount of landscaping shown to the Planning Commission would require considerable maintenance on his part. No one from the public appeared to speak on the application. The Planning Commission (5:0) approved the plan that was submitted, including the landscape setbacks recommended by staff and with no changes to the design of the building.

Appeal

In the appellant's appeal letter (Exhibit A), he requests that the auto-glass repair building be moved forward coincident with the Mission Boulevard front property line, thereby eliminating the landscaping in front of the building. Within the General Commercial District, the Zoning Ordinance requires at least 10 feet of landscaping when a building is not situated on the front property line; however, when a building sits along the front property line no landscaping is required. Therefore, this request of the appellant complies with the minimum front yard requirements of the Zoning Ordinance. Locating the building along the front property line would also be consistent with the location of the building on the opposite (southeast) corner of Mission and Douglas, which sits along the front property line. The appellant also requests reducing the depth of the landscaping in the rear yard from 18.5 feet to 9 feet deep. The request is consistent with the minimum landscape requirement of a depth of 7.5 feet. If the appeal is granted, the asphalt area between the back of the building and the rear yard landscaping would be increased by about 19.5 feet, or about 1577 square feet, and parking could be increased from 6 to 7 stalls.

The notice of the appeal was sent to surrounding property owners. The owner of the adjacent auto sales lot to the north responded with his objection to locating the building on the front property. He states that a building on the property line would block the views of his auto business by northbound motorists.

The appellant indicates that the size of the proposed building would meet his needs, which includes three automotive bays. A building of the proposed size requires at least six parking spaces. The remaining area of the property can be devoted to either pavement or it can be used for landscaping.

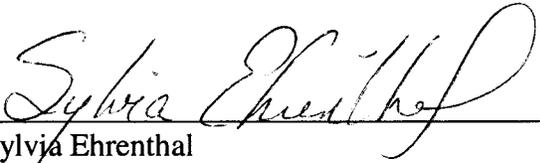
With regard to the building, the proposed auto glass repair shop incorporates a "mission" theme, and has the automobile work bays and an office with retail space on the first floor and a storage area on the second floor. The automobile work bay doors face towards the neighborhood on Douglas Street and cannot be seen from Mission Boulevard. The bay doors are set back approximately 125-feet from the nearest residential building and incorporate an architectural extension on the rear façade to help obscure them. Being on a corner, the building is shaped to coincide with the curve of the corner parcel. The building has a two-story element along the Mission Boulevard frontage but the rear portion is of a one-story design to provide a transition between the commercial and residential uses. A mansard roof surrounds the building. The Planning Commission did not recommend any changes to the design of the structure.

When an application to modify an existing use permit is considered, the reviewing body may add or amend conditions of approval beyond those requested by the applicant to assure that the use continues in maximum harmony with the area and in accordance with official City policies. The City Council also has the authority to deny the use permit if the design of the building or the use were to be inconsistent with surrounding uses and City policies.

Prepared by:

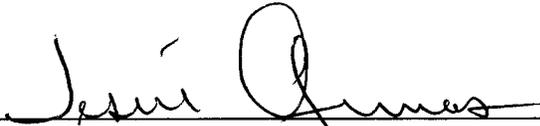
Sylvia M. H. J.
for Dyana Anderly, AICP, Planning Manager

Recommended by:



Sylvia Ehrental
Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

- Exhibits:
- A. Appeal Letter
 - B. Planning Commission Report and Minutes of July 24, 2003
 - C. Plans
Draft Resolution

9/26/03

August 3, 2003

Subject: Appeal Application No. PL-2003-0306

Mr. Koonze,
City of Hayward
Department of Community and Economic Development
777 B. Street
Hayward, California 94541-5007

Dear Mr. Koonze:

Thank you, for everything you and the planning commission has done for me to get my business going.

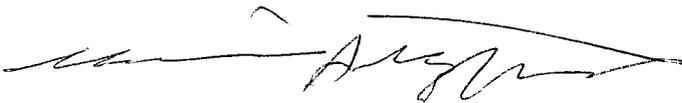
I respectfully request the following two items be given reconsideration

Line Item- 5.b) The required 10-foot front yard set back be waived; I want to build my property to the property line I feel will look more professional and will match the building next to my proposed site.

Line Item - 23) Because of security reasons I would request the 18.5 foot -wide- landscape buffer be only 9 – foot -wide landscape buffer.

Thank- you in advance for your cooperation in this matter.

Sincerely,



Wassim Azizi

RECEIVED

AUG 04 2003

PLANNING DIVISION

suggested they enhance the landscaping around the property. She added that limiting the hours could be a problem since she did not know how effective the limit would be. She agreed that the parking area might be safer than the Toys R Us parking lot. She said she would prefer no condition regarding the City of San Francisco easement. She suggested that staff find the document itself to determine the conditions and requirements.

Commissioner Bogue said he would agree about the easement, since it would be easier and quicker to roll up AstroTurf than move the cargo containers that are at that location. He said this does not need to be a requirement. As to the building being painted, he said he liked the galvanized steel and knows it will not rust, however, he thought perhaps it should match the other buildings in the area. He added that suggesting the texture was to soften the effect somewhat. He agreed to leave the structure alone and worry about the landscaping.

Assistant City Attorney Conneely said it would be appropriate for staff to reserve judgment on the easement until it has been reviewed, and then work with San Francisco on that.

Commissioner Halliday agreed that she would like to allow the building to remain as it is. It's far enough back so it is not seen from Winton, and since it is in an industrial area different things are more allowable. She then suggested adding a further condition requiring the owners to be responsible for cleaning the area of other paint.

Chairperson Zermeño said he was not sure he liked the stark fence.

Commissioner Bogue said he would remove the requirement of the painting from his motion since this is not steel that will rust.

Chairperson Zermeño said the key for supporting the motion for him was the support of the firefighters.

The motion passed unanimously, with Commissioners Thnay and Fraas absent.

All of the members agreed they would be willing to re-meet during the recess if they had to, in order to help get this business back in full operation.

4. Referral from the Planning Director of Administrative Use Permit No. PL-2003-0306 - Azad Ghulam (Architect/Applicant) / Wassim Azizi (Owner) - Request to Construct and Operate an Auto Glass Repair Shop - The Property is Located at 27794 Mission Boulevard at the Northeast Corner of Mission Boulevard and Douglas Street

Assistant Planner Koonze made the presentation and recommended that the Planning Commission approve the use permit. He indicated it is in compliance with the Zoning Ordinance in the neighborhood. With various street improvements along Douglas and Mission, two trees might be removed, which would then need replacing. The bay doors are in the rear but are 150' away from the residences. The building is of a Mission design, with storage area above the store. Staff is requesting that a monument sign not be allowed, but did recommend a 45-degree cut at the corner to complement the property across the street.



Commissioner Bogue asked about the elevations and whether they showed the 45-degree cut.

Assistant Planner Koonze said they did not, however, the Planning Commission decision on this matter would take precedence.

The public hearing opened at 10 p.m.

Wassim Azizi, owner, said he has been operating since March 1995, and been very successful. He said he is happy with the business since November 2001 when he moved to a new location. He discussed his experience with the process of purchasing the property and trying to get approval on his drawings, noting that he has had to change the design nine times, which has taken over a year and a half but should really have only taken three months. He noted that he has already given up approximately four feet of the building for the sidewalk and street improvements. In speaking with the neighbors they are happy with the new building.

Commissioner McKillop asked whether he was happy with this design as it is, even with the 45-degree cut.

Mr. Azizi explained that a 45-degree cut would create a bigger problem. He said that already he has given up four-feet to Douglas Street, which amounts to 2,000 square feet. This change is more and really not necessary.

Planning Manager Anderly said the cut is not solely for aesthetics. She said he would not lose that much square footage since there is room in the back to add additional square footage. There is only so much room for parking spaces, however. In that area a 10-foot setback is needed. She added that this change is necessary or a variance would have to be applied for, which would be difficult to support, particularly since the building across the street has a 45-degree cut at the corner.

Commissioner McKillop asked why, with all the revisions, this was not caught until recently.

Assistant Planner Koonze explained that it was only at this stage of the process that other departments had input, particularly engineering. He indicated that the curb return was shortened. Once this was analyzed, staff knew what they had to do to avoid a variance.

Commissioner Halliday expressed sympathy for the applicant and asked how wide the cut would actually be.

Assistant Planner Koonze said part of the issue is the square footage itself, without the cut it would be a larger building and would need an additional parking space, which would require a variance. By minimizing the building, the applicant avoids the variance for parking.

Mr. Azizi maintained that the storage on the second story should not count, adding that there is more parking in the 3-car garage in the facility.

Commissioner Halliday asked whether parking inside is included in the measurements.

Assistant Planner Koonze explained that it is not. However, staff does have to count the storage area inside.

Planning Manager Anderly explained that, although this particular user might not have that much need for parking, nor use the space for anything but storage, in the long range other users might use it for more than this. She said staff might be able to increase his area slightly.

Ghulam Azad, architect, discussed the parking and questioned the quality of the building with the cut. He explained that they could add one more parking space as well as cut the square-footage of the storage space.

Commissioner Halliday asked for further clarification on the 45-degree cut on the front of the building.

Assistant Planner Koonze explained that this application does not have a variance at this point. In order to do so it would have to be re-noticed and come back at a later date.

The public hearing closed at 10:20 p.m.

Commissioner Sacks asked about approval if the owner does not want to go ahead with the project, would it die a natural death.

Planning Manager Anderly suggested the owner could come back with a modified plan or wait for a year and reapply.

Commissioner Sacks moved, seconded by Commissioner Halliday, to approve the staff recommendation.

Commissioner Sacks noted that this would definitely be a benefit for that corner. She also wished the owner well with his business.

Commissioner Halliday said she did not like the idea of moving the landscaping in the back. She said this building is appropriate for the site and she liked the design.

Chairperson Zermeño added that he thought this building would be a tremendous addition to the area. He noted that to pursue the angle would look more appealing to customers.

The motion passed unanimously with Commissioners Thnay and Fraas absent.

~~4. Site Plan Review Application No. PL-2003-0113 - Francisco Trujillo for Tait & Associates (Applicant) / Southland Office Center Investors LLC (Owner) - Demolition of~~



CITY OF HAYWARD AGENDA REPORT

Meeting Date 7/24/03
Agenda Item 3

TO: Planning Commission

FROM: Tim R. Koonze, Assistant Planner

SUBJECT: Referral from the Planning Director of Administrative Use Permit No. PL-2003-0306 – Azad Ghulam (Architect/Applicant) / Wassim Azizi (Owner)
- Request to Construct and Operate an Auto Glass Repair Shop

The Property Is Located at 27794 Mission Boulevard at the Northeast Corner of Mission Boulevard and Douglas Street within a CG (General Commercial) District

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Find that the proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15332 *In-Fill Development Projects*; and
2. Approve the use permit subject to the attached findings and conditions of approval.

DISCUSSION:

The site consist of three parcels totaling 10,000-square-feet. The property is vacant and relatively flat, with commercial businesses located to the north and south along Mission Boulevard. The property to the east is zoned for commercial use; however, it is developed with a legal, nonconforming single-family home, the first in a tract of single-family residences, stretching to the east. (Refer Exhibit B, Aerial Photo.) The auto glass business is currently located at 29404 Mission Boulevard and is a mobile operation. The applicant would like to relocate to a larger site to enable him to offer on-site repair services as well.

The Zoning Ordinance defines automotive glass repair and replacement as “major” automobile repair, and therefore this application requires an administrative use permit. Following public notification regarding this application the City received a reply expressing disappointment with the architecture and concerns with the compatibility of this automotive use adjacent to residential housing. Staff is forwarding this application to the Planning Commission to provide a forum for public comment.

The auto glass replacement use would be consistent with the Commercial/High-Density land use designation of the General Plan and its strategy for the Mission Boulevard corridor seeking to "create a transit-oriented environment by encouraging a balance of land uses, including a mix of commercial and residential uses." The site is a corner parcel that has an irregular shape making it difficult to accommodate a high-density project with a quality design. In addition, a residential development on this site would not be consistent with the development pattern of the area.

The proposal conforms to the Mission-Garin Neighborhood Plan in that the plan encourages commercial, specifically auto uses, along Mission Boulevard north of Valle Vista Avenue. The neighborhood plan also encourages quality design of new buildings. Staff believes the building proposed is consistent with that policy.

The proposed building incorporates three automobile work bays and an office with retail space on the first floor and a storage area on the second floor. The parking area and trash enclosure are located behind the main building. The auto-bay doors face towards the commercially zoned property to the east and cannot be seen from Mission Boulevard, however they can be seen from the single-family residences to the east and when heading west bound on Douglas Street. The bay doors are set back approximately 125-feet from the nearest residential building and incorporate an architectural extension on the rear façade to help obscure the bay doors. The trash enclosure incorporates the same mission design as the main building and is large enough to accommodate trash and recycle bins.

The mission-style building design fits in well with newer buildings of similar design along Mission Boulevard. The building has a two-story element along the Mission Boulevard frontage but the rear portion is of a one-story design to provide a transition between the commercial and residential uses. The mission design includes a mansard roof that surrounds the building. Staff recommends modifying the building design to reflect a 45-degree angle at the corner of Mission Boulevard and Douglas Street. In addition to adding architectural interest, the modification would avoid the need for a variance by designing the structure to respect the required 10-foot front yard setback. (The Zoning Ordinance requires that a building be either situated on the property line or set back 10 feet to provide space for landscaping.) Staff is also recommending that the angled portion of the building incorporate the primary entry covered by a tiled canopy that matches the mansard roof. (See Condition 5b.)

The applicant did not submit a sign program with the use permit application. The Sign Regulations allow up to two wall signs and one monument sign. In order to ensure that the signs complement the architectural features of the building, a condition of approval (Condition 5c) requires the two wall signs to consist of individual letters with dimensions of 2 feet high by 10 feet. The condition also requires the letters to be of a soft color that complements the Spanish style of the building. Staff is also recommending prohibiting a monument sign as it could either interfere with the safe line of site for vehicles at the

corner of Mission Boulevard and Douglas Street or create a cluttered appearance within the 10-foot-wide landscape areas along the property frontages

The use requires six parking spaces that are provided at the rear of the property. In addition there are three automotive bays available to park company vehicles or to be used for employee parking when not in use.

The Zoning Ordinance requires a masonry wall at least 6 feet high where a commercial district abuts a residential district, unless waived or another material is approved by the approving authority because the abutting activity or use is nonconforming or the proposed commercial activity is of low intensity and impacts can be otherwise mitigated. For subject project, a 6-foot-high solid board fence is proposed along the east property line. Staff is supportive of wood fence because the dwelling to the east is a nonconforming use, and it would be easier to remove a wood fence at a time in the future when the adjacent parcel is developed with a commercial use. In addition, an 18.5-foot-wide landscape area will be installed adjacent to the fence to provide a buffer area, and hours of operation are limited to between 7 a.m. and 7 p.m. The front and side street yards will also be landscaped. Street trees will be planted along Mission and Douglas. The size, type, and location of these trees will be approved by the City Landscape Architect at the building permit stage of the development process.

Before issuing a building permit, the three parcels affected by this development will be merged into one parcel. A condition of approval requires a certificate of merger to be approved by the City and recorded with the Alameda County recorder.

PUBLIC NOTICE:

On May 30, 2003, a notice describing the proposal was mailed to all property owners and tenants within 300 feet of the subject property and to all interested parties. Negative responses were received from a resident who resides in a nearby neighborhood. The response questioned the appropriateness of this business at this location and the architecture of the proposed building. On July 14, 2003, a Notice of Public Hearing for the Planning Commission meeting was mailed.

ENVIRONMENTAL REVIEW:

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15332 *In-Fill Development Projects*.

CONCLUSION:

The proposal is consistent with the General Plan and the Mission-Garin Neighborhood Plan. The proposal conforms to the commercial pattern along Mission Boulevard. The site design has taken into account the surrounding neighborhood by reducing the rear portion of the building to single-story and providing a 125-foot setback from the nearest

resident. In addition, an architectural extension has been added to soften the visual impact of the bay doors at the rear of the building.

Prepared by:

Tim R. Koonze

Tim R. Koonze
Assistant Planner

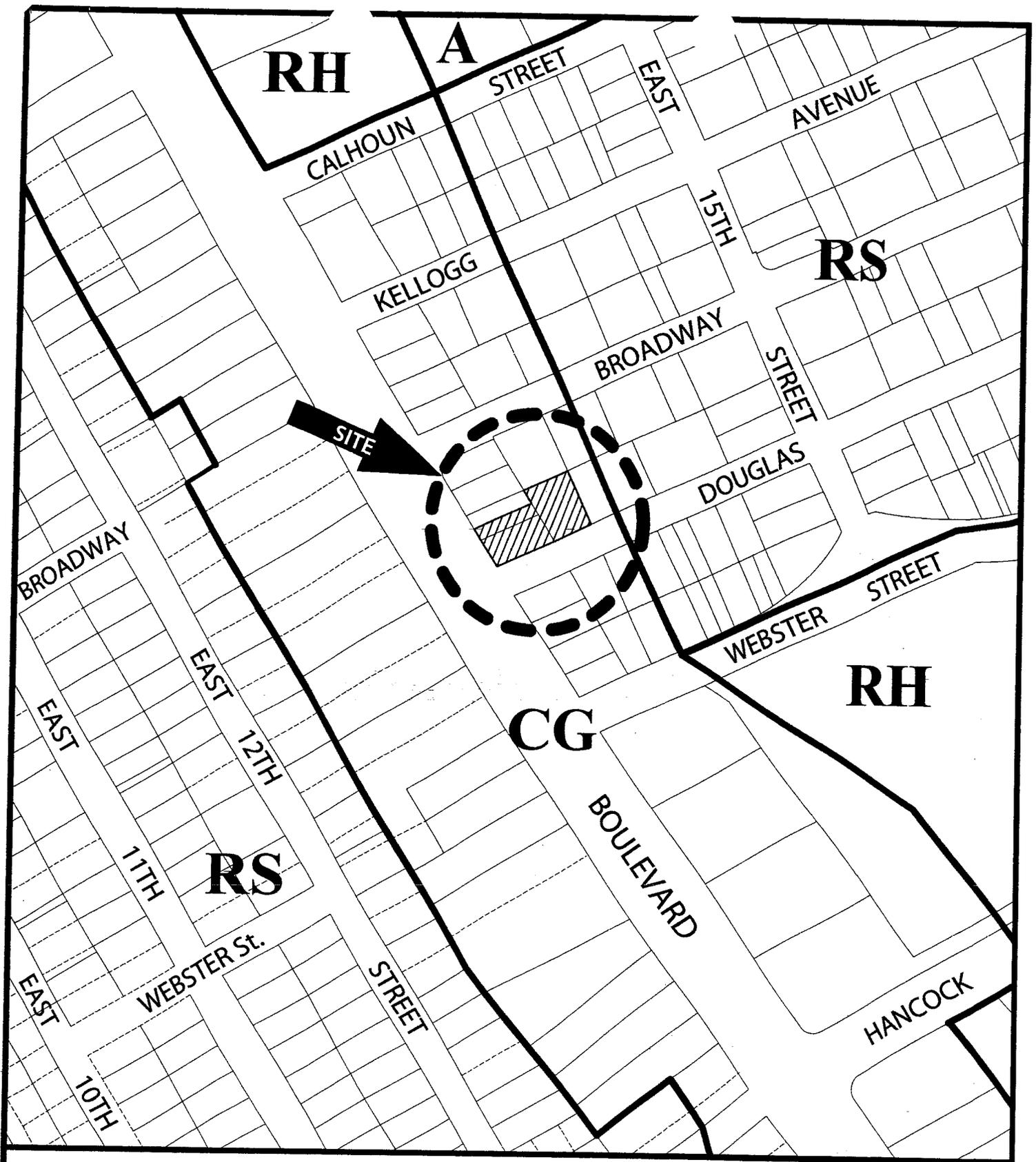
Recommended by:

Dyana Anderly

Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area Map
- B. Aerial Photo
- C. Findings of Approval
- D. Conditions of Approval
- E. Staff Recommended Site Plan
Plans and Elevations



Area & Zoning Map

PL-2003-0306 AUP

Address: 27794 Mission Boulevard

Applicant: Ghulam Azad

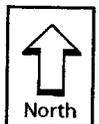
Owner: Wassim Azizi

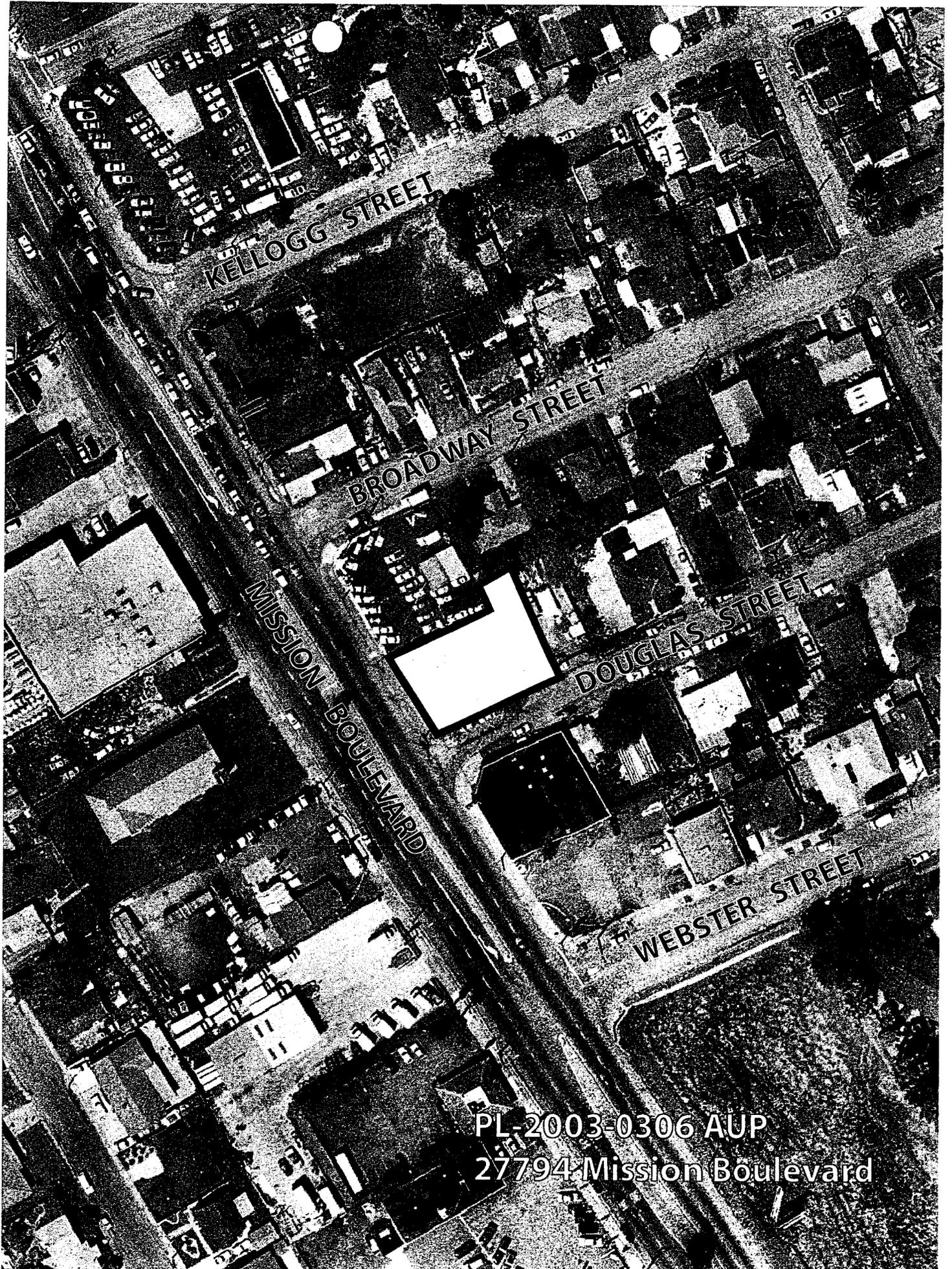
A-Agricultural-ABSA,AB10A,AB100A,AB160A

CG-General Commercial

RH- High Density Residential RHB7

RS-Single-Family Residential,RSB4,RSB6





PL-2003-0306 AUP
27794 Mission Boulevard

FINDINGS OF APPROVAL
For
ADMINISTRATIVE USE PERMIT APPLICATION NO. PL-2003-0306

July 24, 2003

FINDINGS FOR APPROVAL:

- A. Approval of Administrative Use Permit application No. PL-2003-0306, as conditioned, will have no significant impact on the environment, cumulative or otherwise, and the project reflects the City's independent judgment and is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the CEQA Guidelines (In-Fill Development Projects).
- B. The project is consistent with the Commercial/High Density General Plan designation in that commercial uses are encouraged along the Mission Boulevard corridor.
- C. The project is consistent with the Mission-Garin Neighborhood Plan in that it encourages commercial uses along Mission Boulevard north of Valle Vista Avenue, specifying automotive services.
- D. The proposed auto glass repair shop is desirable for public convenience in that its location is on a major thoroughfare providing easy access for not only the adjoining neighborhoods but neighborhoods near the Mission Boulevard corridor.
- E. The proposed use will not impair the character and integrity of the zoning district and surrounding area in that the use is permitted within this zoning district and is consistent with the commercial uses along Mission Boulevard. The building and site design provide an upgrade in quality while the reduced building height on the rear portion of the building recognizes the single-story design on the residential area to the rear, as does the 125-foot building setback from the residential uses.
- F. The project will not be detrimental to public health, safety or general welfare in that conditions of approval require that the building meet all building and fire codes. The 125-foot building setback from the nearest residential unit and a six-foot-high solid board fence constructed on the property line common with the adjoining residential uses will separate the commercial activities (including noise) from the adjacent residential area.

CONDITIONS OF APPROVAL
For
ADMINISTRATIVE USE PERMIT APPLICATION NO. PL-2003-0306

July 24, 2003

CONDITIONS OF APPROVAL:

1. Administrative Use Permit Application No. PL-2003-0306, is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void one year after the effective date of approval, unless (a) either a building permit has been issued **or a building permit application has been submitted for processing and said application has not expired**; or (b) business operations have commenced in accordance with all applicable conditions of approval. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to the above date.
2. If a building permit is issued for construction of improvements authorized by the administrative use permit approval, the administrative use permit approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the administrative use permit approval.
3. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
5. Prior to application for a Building Permit, the following changes shall be made to the plans:
 - a) A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
 - b) The building design shall be modified by including a 45-degree angle at the corner of Mission Boulevard and Douglas Street to allow for the required 10-foot front yard setback. The angled portion of the building shall incorporate the front door with a canopy that matches the mansard roof. The design shall meet the approval of the Planning Director.

- c) The building will be allowed two signs, 1 on the west elevation and 1 on the east elevation. The sign area shall be limited to an area 2 feet high by 10 feet wide and will consist of individual block letters. The letters shall be of a softer color and of a durable material that compliments the Spanish style of the building; white lettering is prohibited. A monument sign will not be allowed at this site as it would either interfere with the safe line of site for vehicles at the corner of Mission Boulevard and Douglas Street or create a crowded appearance within the 10-foot-wide landscape areas along the property frontages. The sign type, design, and location shall be approved by the Planning Director.
 - d) The pavement at the driveway entry shall be enhanced by the use of decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials. The location, design and materials shall be approved by the Planning Director.
 - e) Downspouts and other similar appurtenances shall be enclosed within the structure.
6. Prior to issuance of a building permit, the parcels affected by this project shall be merged into one parcel. A certificate of merger shall be recorded in the Office of the Alameda County Recorder and the new parcel shall be made a matter of record.
 7. The hours of operation shall be limited to 7 a.m. to 7 p.m. daily.
 8. The roll-up doors shall remain closed during non-business hours.
 9. No mechanical equipment, or solar collectors, may be placed on the roof unless it is adequately screened from view by the proposed roof structure. Prior to construction, documentation shall be provided that the roof-mounted mechanical equipment is adequately screened.
 10. Any television or satellite reception antennas shall be completely screened from view by the proposed roof structure.
 11. Any transformer located within the front or side street yard setback shall be located underground. If the transformer is located beyond these setbacks it must be screened from view by landscaping.
 12. Decorative light standards, consistent with the Spanish design of the building, shall be used to illuminate the parking areas and exterior walkways. The lighting shall conform to the Security Ordinance and be controlled by photocells. The lighting shall be shielded to protect adjacent residential properties from splash-over. The lighting plan shall be approved by the Planning Director.
 13. The project shall comply with the provisions of the Security Ordinance that pertain to address numbers, lighting, doors, windows and locks.

14. Management shall take necessary steps to assure the orderly conduct of employees, patrons and visitors on the premises.
15. All work shall be performed indoors. No tents or similar structures shall be erected on the site. The site shall be maintained as approved by the administrative use permit and associated building permits.
16. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
17. Violation of these conditions or requirements may result in the City of Hayward instituting a revocation hearing before the Planning Commission.

Landscaping:

18. Prior to the approval of improvement plans, or issuance of the first building permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance. Some of the plant material as shown on the conceptual plan may not be appropriate for the use shown. Additional groundcover may be required in some areas. Flowering shrubs and ground cover shall be used to provide color and interest to the landscape areas. This will require revision during the plan check process.
19. One 24-inch box street tree is required for every 20 – 40 lineal feet along the Douglas Avenue frontage. Spacing of the trees is dependant on the species of trees. Smaller trees will require closer spacing. Trees shall be planted to fill vacancies in the street tree pattern, and to replace any declining or dead trees. Trees shall be planted according to the City Standard Detail SD-122.
20. Landscaped areas adjoining drives and/or parking areas shall be separated by a six-inch high class "B" Portland Cement concrete curb.
21. Solid building walls, trash enclosures or fences facing a street or driveway shall be continuously buffered with shrubs and vines. Provide vines at about 10 feet on center on all of these locations. Some types of vines may require trellis work.
22. Parking and circulation areas shall be screened from the street with shrubs, masonry walls or earth berms, as determined by the Planning Director. Where shrubs are used for screening, the type and spacing of shrubs shall create a continuous 30 inches high evergreen hedge within 2 years. This measurement shall be from the top of curb.
23. An 18.5-foot-wide landscape buffer, including shrubs and one 15-gallon evergreen tree for every 20 lineal feet of property line, shall be planted between the parking area and the adjacent residential use.
24. All utilities that are allowed to be above ground, mechanical equipment and trash enclosures shall be screened from the street with shrubs. This should be added as a note

to the construction drawings as the exact location of all visible utilities is not always known until after construction takes place.

25. Landscaping shall be maintained in a healthy, weed-free condition at all times. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within ten days of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code.
26. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion, and an Irrigation Schedule shall be submitted prior to the issuance of a Certificate of Occupancy.

Fire Department:

27. Storage of windshields shall conform to the California Fire Code (CDF) if racks are to be installed. A hazardous materials chemical inventory shall be submitted to the Fire Department at the time building permit plans are submitted

Engineering:

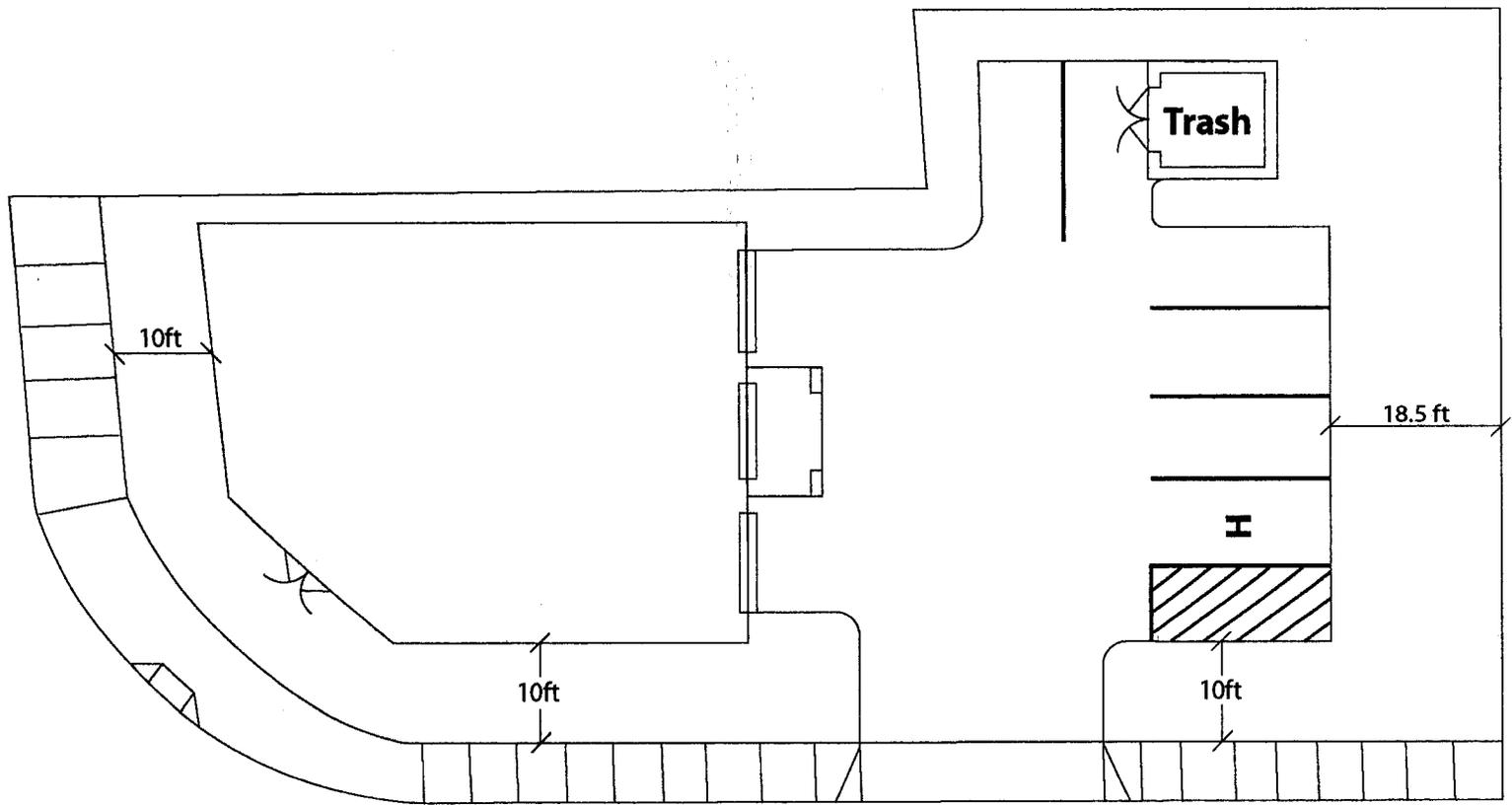
28. Prior to issuance of a building permit the owner shall dedicate a 4-foot-wide strip of land across the Douglas Street property frontage including a curb return at the corner of Douglas Street and Mission Boulevard. The curb return shall have a 30-foot-radius at the face of curb.
29. Prior to connection of utilities the Mission Boulevard property frontage shall be improved with curb, gutter, 9.5-foot-wide sidewalk abutting the curb and tie-in paving. The existing overhead utility lines along the frontage shall be relocated underground. The design shall meet the approval of the City Engineer and Caltrans. Prior to construction an encroachment permit shall be obtained from the City and a permit for construction obtained from Caltrans.
30. Prior to connection of utilities the Douglas Street property frontage shall be improved with curb, gutter, a 5.5-foot-wide sidewalk and an asphalt overlay over 2/3 of the street width. The design shall meet the approval of the City Engineer and Caltrans. Prior to construction an encroachment permit shall be obtained from the City. If the existing trees need to be removed to accommodate the street improvements a tree removal permit shall be obtained and additional trees planted as per the Tree Preservation Ordinance. The existing Joint pole may need to be relocated if its location conflicts with future improvements.
31. Standard street-lights shall be installed along the Douglas Street and Mission Boulevard frontages. The existing street-light attached to the joint pole on Douglas Street shall be removed. The design and location shall be approved by the City Engineer.

32. Prior to issuance of a building permit a preliminary soils report must be submitted for review and approval by the City Engineer.
33. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site in order to limit the entry of pollutants into the storm water runoff to the maximum extent practicable.
34. Prior to the issuance of a building permit the owner shall complete a Development and Building Application Information: Impervious Material form and an Operation and Maintenance Information form.
35. To ensure proper filtration and treatment of storm water run-off from the site the owner shall complete a Maintenance Agreement (available at the City of Hayward Engineering and Transportation Division). Prior to issuance of a building permit, the agreement shall be recorded in the Office of the Alameda County Recorder, so maintenance is bound to the property in perpetuity.
36. The building permit plans shall show the existing sanitary sewer lateral and identify it as abandoned and add a note that it shall be removed or plugged to the satisfaction of the City Engineer.
37. The building permit plans shall show the existing water service line and identify it as abandoned and add a note that it shall be removed or properly abandoned to the satisfaction of the City Engineer.
38. If any retaining walls are needed to accommodate the site grading it shall be reinforced concrete with a natural stone finish.
39. Install reduced Pressure Backflow Prevention Assembly as per City of Hayward Standard Detail SD-202 on all domestic and irrigation meters.

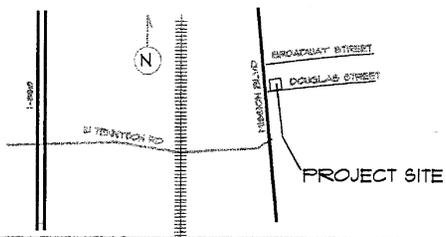
Public Works –Water-Pollution Source Control

40. Stormwater Best Management Practices (BMPs) for the Construction Industry shall be employed for this project.
41. No wash water is allowed to be discharged into the storm drain system.
42. All on-site storm drain inlets shall be clearly stenciled “No Dumping, Drains to Bay.”
43. The only acceptable sanitary sewer discharge shall be from normal potable water usage, such as bathroom wastewater, or employee break room waste water. Contact Water Pollution Source Control at (510) 881-7900 if process wastewaters, (e.g. wash waters) are proposed to be discharged to the sanitary sewer system from this facility.

MISSION BOULEVARD



DOUGLAS STREET



PAYLESS AUTOGLASS

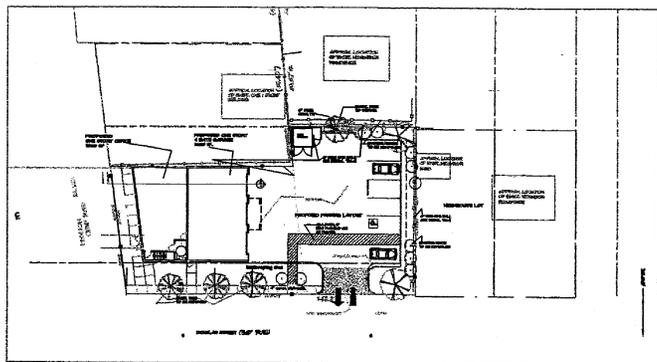
27794 MISSION BLVD
HAYWARD CALIFORNIA

ISSUED FOR PLAN CHECK 5/19/03

Ghulam Azad & Associates

ARCHITECTURE INTERIOR DESIGN
1264 TITUS AVE. SARATOGA, CA 95070 (408) 691 2788
E-MAIL gazad@bcglobe.net FAX 408 253 1530

VICINITY MAP



SITE MAP

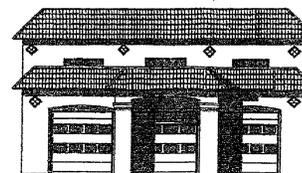
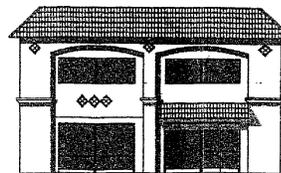
DRAWING INDEX

DWG. NO.	DWG. TITLE
A-0	COVER SHEET
A-1	ARCHITECTURAL SITE PLAN, FLOOR PLAN, ELEVATIONS
A-2	EXTERIOR ELEVATIONS, BLDG. SECTION, CONSTRUCTION DETAILS
A-3	BOUNDARY SURVEY

MIXED OCCUPANCY INFORMATION TABLE 9-B (CBC 2000) ALLOWABLE AREA (CONST. TYPE V-N)				
OCCUPANCY	TOTAL AREA/OCCUP.	BASIC ALLOWABLE AREA	TOTAL PROPOSED AREA/ALLOWABLE AREA	OCCUPANCY RATIO
B	OFFICE AREA	1066 SF	2222 SF 6,000 SF = 0.271	-
	STAIR	1066 SF		
	STORAGE	500 SF		
	TOTAL BLDG.	2222 SF		
9-B	1ST. FLR. GARAGE	1550 SF	8,000 SF	1550 SF / 8,000 SF = 0.168
TOTAL BUILDING	3772 SF			0.271 + 0.168 = 0.439 < 1.0 OK

BUILDING EXTERIOR WALLS AND OPENINGS PROTECTION CBC 1998 TABLE No.5A CONSTRUCTION TYPE V-1			
OCCUPANCY GROUP MIXED OCCUPANCY	DESCRIPTION OF OCCUPANCY	FIRE RESISTANCE OF EXTERIOR WALL	OPENINGS IN EXTERIOR WALLS
FIRST FLOOR B, 9-3	OFFICE AREA THREE BAYS GARAGE AREA	NORTH EXTERIOR WALL IS LESS THAN 20' FT. FROM PROPERTY LINE. WILL BE CONSTRUCTED ONE HOUR FIRE RATED. WEST, SOUTH & EAST EXTERIOR WALLS ARE NON-RATED (WEST WALL IS FACING PUBLIC ST.)	NO OPENING IN NORTH WALL. WEST, EAST AND SOUTH WALLS ARE MORE THAN 10' FROM THE PROPERTY LINE. OPENING IN THE EXTERIOR WALLS ARE NOT PROTECTED.
SECOND FLOOR B	NON OCCUPIED STORAGE AREA		

PROJECT ADDRESS:		PARKING DATA:				
27794 MISSION BLVD HAYWARD CALIFORNIA		OCCUPANCY	AREA SF	RATIO	NO OF PARKING REQUIRED	NO OF PARKING PROVIDED
SITE DATA:		TOTAL BUILDING	OFFICE 1066 SF STAIR 1066 SF STORAGE 500 SF GARAGE 1550 SF	PARKING/500 SF	OFFICE/GARAGE 2416/7028=0.345 5 SPACES REQD.	6-8 SPACES IN SHOP AREA
SITE AREA: 10,371 SF		PARKING:				
ACCESSORS PARCEL * APN 0780-0630-006-000		STANDARD, 5'X10'		5 SPACES		
USE ZONE: XX		ACCESSIBLE		1 SPACE		
BUILDING DATA:		TOTAL PARKING SPACES: 6 SPACES		NOTE: ALL PARKING WITH 2'-6" O/L.		
CODES: UMC 2000, CBC 2000, LFC 2000, UPC 2000, LFC 2000, UPC 2000, NBC 2000, ALL LFC, TOD/ATE LOCAL ZONING, ALL APPLICABLE CODES		EXTERIOR FINISH: CEMENT PLASTER WINDOWS		STRUCTURE: CHU BLOCK/STEEL COLUMNS, WOOD PURLIN/DECKING CONCRETE FOUNDATION		
BUILDING IS NOT SPRINKLERED OCCUPANCY: B, 9-3		THE BUILDING IS NOT SPRINKLERED				
BUILDING TYPE: PROPOSED TYPE V-N TWO STORY OFFICE AREA ONE STORY GARAGE AREA						



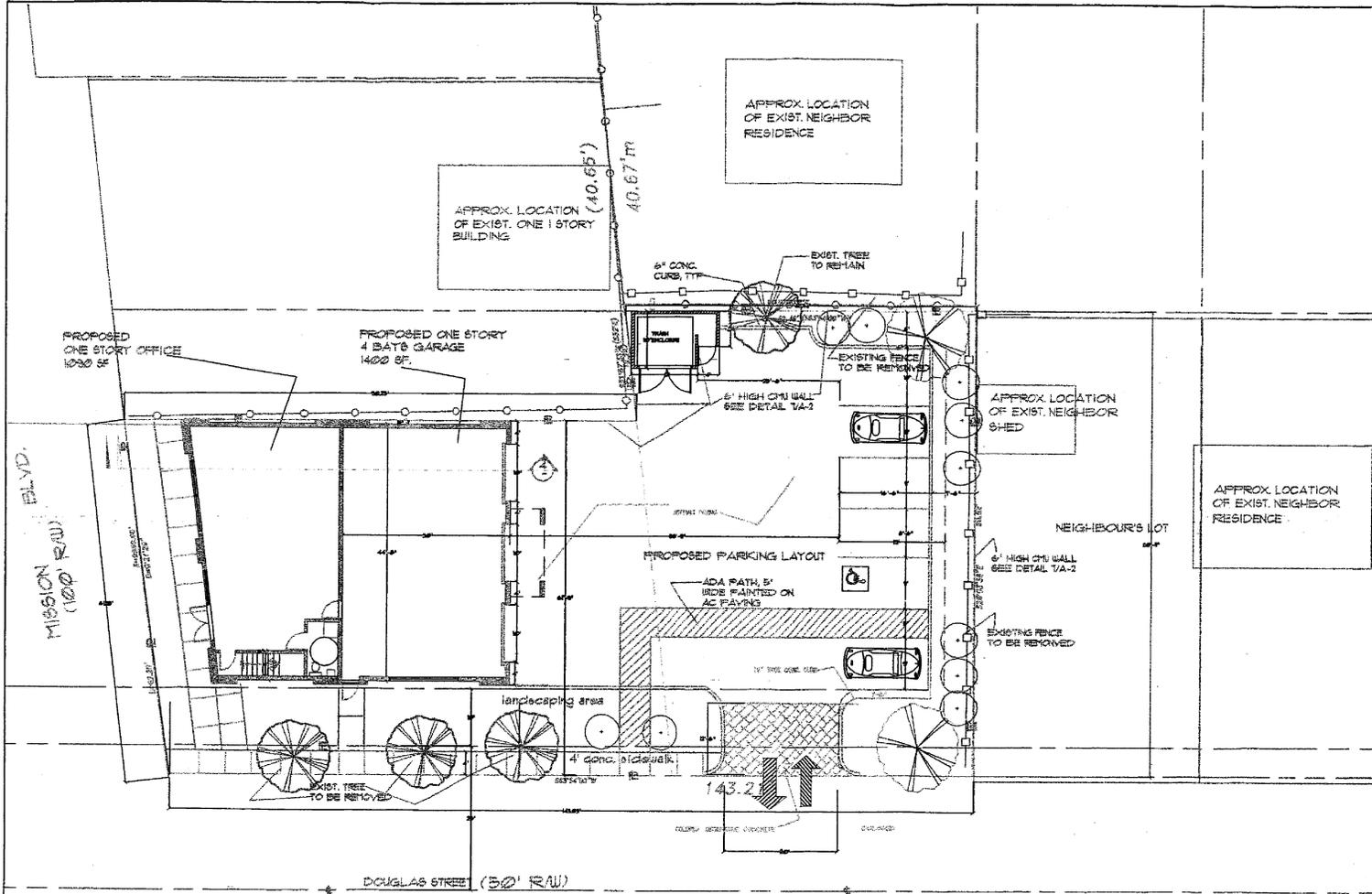
RECEIVED

JUL 17 2003

PLANNING DIVISION

PROJECT DATA

PL-2003-0306 AUP



Ghulam Azad & Associates

ARCHITECTURAL DESIGN DIVISION
1000 WEST 4TH, SUITE 200, DENVER, CO 80202 (303) 733-1100

PROJECT NO. 1000000000
DATE: 10/15/2008
SCALE: AS NOTED



NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMITS REVIEW	10/15/08
2	ISSUE FOR PERMITS REVIEW	10/15/08
3	ISSUE FOR PERMITS REVIEW	10/15/08
4	ISSUE FOR PERMITS REVIEW	10/15/08
5	ISSUE FOR PERMITS REVIEW	10/15/08
6	ISSUE FOR PERMITS REVIEW	10/15/08
7	ISSUE FOR PERMITS REVIEW	10/15/08
8	ISSUE FOR PERMITS REVIEW	10/15/08
9	ISSUE FOR PERMITS REVIEW	10/15/08
10	ISSUE FOR PERMITS REVIEW	10/15/08
11	ISSUE FOR PERMITS REVIEW	10/15/08
12	ISSUE FOR PERMITS REVIEW	10/15/08
13	ISSUE FOR PERMITS REVIEW	10/15/08
14	ISSUE FOR PERMITS REVIEW	10/15/08
15	ISSUE FOR PERMITS REVIEW	10/15/08
16	ISSUE FOR PERMITS REVIEW	10/15/08
17	ISSUE FOR PERMITS REVIEW	10/15/08
18	ISSUE FOR PERMITS REVIEW	10/15/08
19	ISSUE FOR PERMITS REVIEW	10/15/08
20	ISSUE FOR PERMITS REVIEW	10/15/08

ALL OTHER PERMITS APPROVED BY THE CITY OF DENVER ARE THE RESPONSIBILITY OF THE CLIENT. THE ARCHITECT IS NOT RESPONSIBLE FOR OBTAINING THESE PERMITS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF DENVER AND ANY OTHER AGENCIES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY ANY OTHER AGENCIES. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY ANY OTHER AGENCIES.

PROPOSED OFFICE/WORKSHOP FOR:
PAYLESS AUTO GLASS
3700 MISSION BLVD.
HARDING GARDEN/10000
80-740 5400

SHEET TITLE:
SITE PLAN

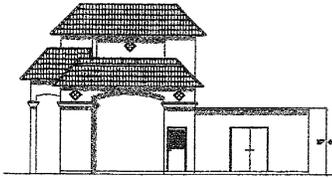
DATE: 10/15/08
JOB NO.: 1000000000
SCALE: AS NOTED
ACAD FILE NAME: 1000000000

SHEET: A-1

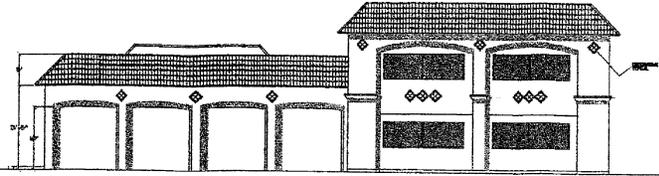
SITE PLAN
SCALE: 1/8" = 1'-0"

BUILDING DATA:

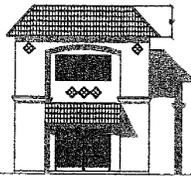
FIRST FLOOR	OFFICE AREA	1266 SF
	SHOP AREA	1352 SF
	STAIR AREA	52 SF
SECOND FLOOR	STORAGE AREA	1266 SF
TOTAL AREA		3572 SF



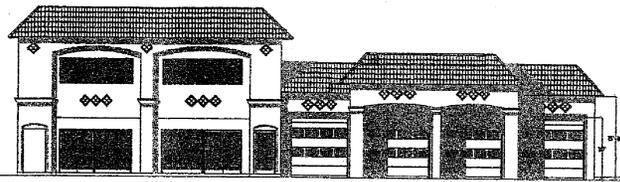
1 EAST ELEVATION
SCALE 1/8" = 1'-0"



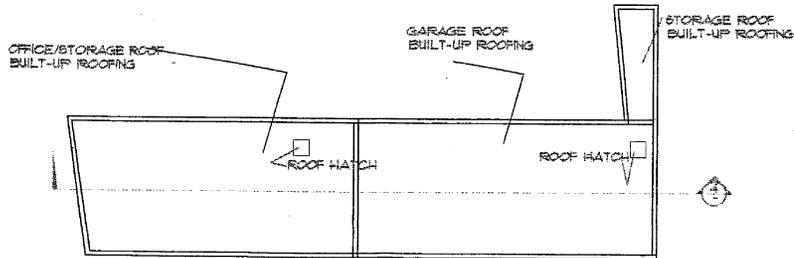
2 NORTH ELEVATION
SCALE 1/8" = 1'-0"



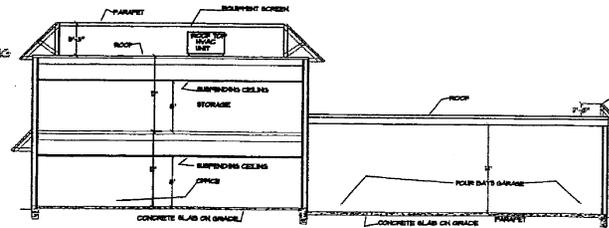
3 WEST ELEVATION
SCALE 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE 1/8" = 1'-0"



6 ROOF PLAN
SCALE 1/8" = 1'-0"
NORTH ↑



5 BUILDING SECTION
SCALE 1/8" = 1'-0"

Ghulam Azad, A.I.A.
ARCHITECTURAL DESIGNER
1934 19TH ST. SACRAMENTO, CA 95811 (916) 421-2222

PROJECT NO.
DESIGNED BY
DRAWN BY



NO.	DESCRIPTION	DATE
1	ISSUED FOR PLANNING REVIEW	10/24/00
2	ISSUED FOR PLANNING REVIEW	10/24/00
3	ISSUED FOR PLANNING REVIEW	10/24/00
4	ISSUED FOR PLANNING REVIEW	11/14/00
5	PROCESSED PERMITS	11/14/00
6	PROCESSED PERMITS	01/04/01

KEY PLAN

PROPOSED OFFICE/WORKSHOP FOR:
PAYLESS AUTO GLASS
3774 HERRON BLVD.
MAYNARD CALIFORNIA 95986
916-760-2888

AS-BY TITLE

SITE PLAN

DATE: 1/28/01
JOB NO.: 0000
SCALE: AS NOTED
ACAD PLUMBINGBOOK

SHEET:
A-2

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 03-

mtl
10/11/03

Introduced by Council Member _____

RESOLUTION FINDING THE PROJECT CATEGORICALLY EXEMPT FROM CEQA REVIEW, DENYING THE APPEAL OF THE PLANNING COMMISSION'S DECISION AND APPROVING ADMINISTRATIVE USE PERMIT NO. PL 2003-0306 - GHULAM AZAD (APPELLANT), AZIZI WASSIM (OWNER)

WHEREAS, there has been presented to the City Council of the City of Hayward, by Ghulam Azad (Appellant) Administrative Use Permit Application No. PL-2003-0306 to construct a building to be used as an auto glass repair shop on a 10,000 square-foot vacant parcel; and

WHEREAS, the Planning Commission approved the Use Permit at its meeting on July 24, 2003 with conditions that the owner install a 10-foot-deep front yard landscaped area and an 18-foot-deep landscaped buffer along the rear property line adjacent to a residential use; and

WHEREAS, the appellant appealed the Planning Commission's decision within the time and manner provided by law, requesting that the auto-glass repair building be moved forward coincident with the Mission Boulevard front property line, thereby eliminating the landscaping in front of the building and reducing the landscaping requirement from 18.5 feet to 9 feet deep along the rear property line; and

WHEREAS, the City Council finds and determines that:

1. Approval of Administrative Use Permit Application No. PL-2003-0306, as conditioned, will have no significant impact on the environment, cumulative or otherwise, and the project reflects the City's independent judgment and is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 of the CEQA Guidelines (In-Fill Development Projects).
2. The project is consistent with the Commercial/High Density Plan designation in that commercial uses are encouraged along the Mission Boulevard Corridor.

3. The project is consistent with the Mission-Garin Neighborhood Plan in that it encourages commercial uses along Mission Boulevard north of Valle Vista Avenue, specifying automotive services.
4. The proposed auto glass repair shop is desirable for public convenience in that its location is on a major thoroughfare providing easy access for not only the adjoining neighborhoods but neighborhoods near the Mission Boulevard corridor.
5. The proposed use will not impair the character and integrity of the zoning district and surrounding area in that the use is permitted within this zoning district and is consistent with the commercial uses along Mission Boulevard. The building and site design provide an upgrade in quality while the reduced building height on the rear portion of the building recognizes the single-story design on the residential area to the rear, as does the 125-foot building setback from the residential uses.
6. The project will not be detrimental to public health, safety or general welfare in that conditions of approval require that the building meet all building and fire codes. The 125-foot building setback from the nearest residential unit and a six-foot-high solid board fence constructed on the property line common with the adjoining residential uses will separate the commercial activities (including noise) from the adjacent residential area.

NOW, THEREFORE, BE IT RESOLVED that, based on the foregoing findings, the City Council of the City of Hayward hereby denies the appeal and upholds the Planning Commission's approval of Administrative Use Permit No. PL-2003-0306, subject to the attached conditions of approval.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward