



CITY OF HAYWARD AGENDA REPORT

Meeting Date 12/2/04
Agenda Item 5

TO: Planning Commission

FROM: Erik J. Pearson, AICP, Associate Planner

SUBJECT: Use Permit Application No. PL-2004-0576 – Pete Zucker (Applicant)/State Pipe & Supply, Inc. (Owner): Request to Operate a Major Outdoor Storage Yard in the Industrial Zoning District

The Property is Located at 24785 Clawiter Road, at the Northwest Corner of Depot Road

RECOMMENDATION:

Staff recommends that the Planning Commission:

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

DISCUSSION:

The applicant proposes to use the 2.8-acre parcel as a pipe distribution yard. The Industrial zoning district regulations require a use permit for major outdoor storage. Major outdoor storage is defined as "uses not conducted completely within an enclosed building, such as major outdoor storage in excess of 10 percent of an open yard area". Surrounding land uses include industrial properties to the north and across the railroad tracks to the west, a restaurant on the south side of Depot Road and a mini storage facility on the east side of Clawiter Road.

The property is developed with an 8,160 square-foot metal building proposed to be used for offices, storage and a shop. The building was recently fitted with new windows, and the applicant proposes to add new gutters and paint the entire building. In addition, staff is recommending a condition of approval requiring that an awning be added over the entrance door to the utilitarian building. The remainder of the property is covered with deteriorated concrete and asphalt, gravel and weeds. The majority of the site would be paved with asphalt, except for the areas where pipe would be stored, which would be covered with 6 inches of gravel. The gravel areas would have limited vehicular traffic and would allow stormwater to be absorbed into the ground. The proposed

layout is similar to facilities State Pipe & Supply operates in Southern California and Portland, Oregon (see photo below).



The site would have an 8-foot-tall decorative precast screen wall along Clawiter and Depot Roads. The applicant has proposed textured (either slump stone or shiplap) concrete panels with pilasters and decorative caps every 15 feet. Staff, however recommends a wall that is more attractive given its prominent location and would require a more attractive design at the time a building permit is issued. Vines would be planted to soften the visual impact of the wall. Pipe would be stored on racks and would not extend above the 8-foot screen wall.

There are two driveways serving the site – one on Depot Road and one on Clawiter Road. Each driveway entrance would have a solid metal gate. There would be 10 feet of landscaping along Depot Road and 20 feet of landscaping along Clawiter Road. There is a sidewalk on the Depot Road frontage and a sidewalk would be added along Clawiter Road. Between the building and Clawiter Road, along the north property line, parking spaces and landscaping would be installed. Six-foot-high chain-link fences would be retained along the west and north property lines. A condition of approval would require the installation of slats in the fence on the west property line to screen the yard from views from eastbound Depot Road traffic.

The site is directly adjacent to only one occupied property. D.W. Nicholson Corporation (a mechanical contractor) is located immediately to the north. The building that runs parallel to the north property line and the automobile parking along the north property line would provide a buffer between the two industrial uses. With the railroad to the west and Clawiter and Depot Roads to the east and south, the proposed outdoor storage is expected to operate in harmony with surrounding land uses. With the installation of the screen wall and landscaping along the street frontages, the new storage yard will be compatible with and an improvement to the surrounding area.

ENVIRONMENTAL REVIEW:

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

PUBLIC NOTICE:

On October 15, 2004, a Referral Notice was sent to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. The Referral Notice provided an opportunity for persons to comment on the project. Staff received one anonymous phone call from a person concerned about the possibility of trucks waiting on surrounding streets to access the property. The site has been designed to accommodate several trucks so that no traffic will need to wait on Clawiter or Depot Roads.

On November 22, 2004, a Notice of Public Hearing for the Planning Commission meeting was mailed. In addition, a public notice sign was placed at the site prior to the Public Hearing to help notify neighbors and interested parties residing outside the 300-foot radius.

CONCLUSION:

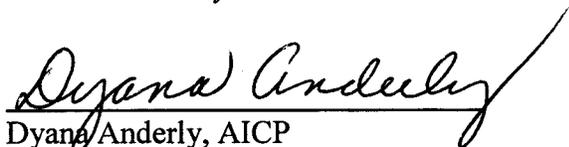
The proposed project is consistent with adopted land use policies of the General Plan. The project also meets all applicable requirements of the Zoning Ordinance and other applicable ordinances and will be compatible with the surrounding neighborhood. Staff recommends that the Use Permit be approved.

Prepared by:



Erik J. Pearson, AICP
Associate Planner

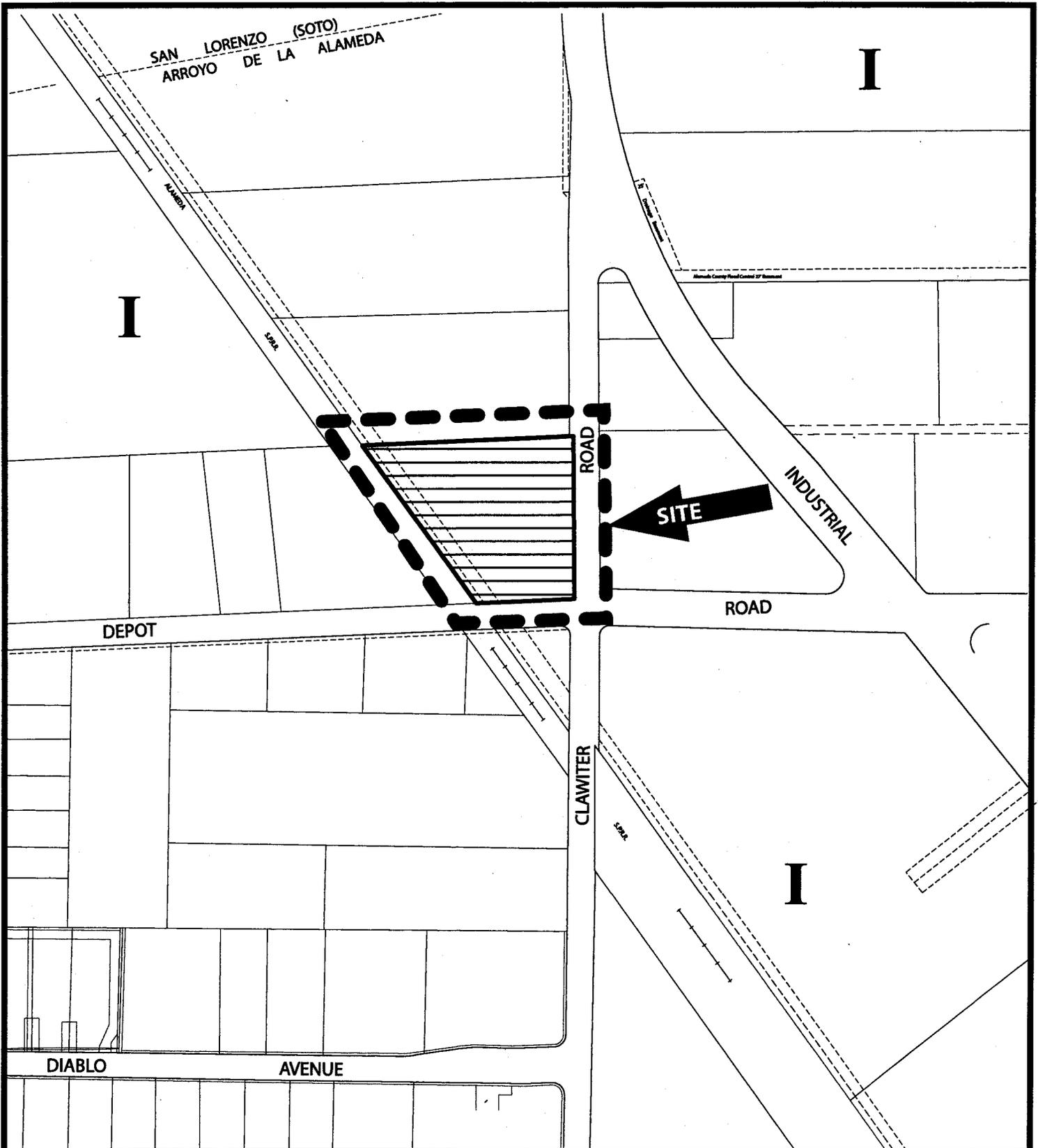
Recommended by:



Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area & Zoning Map
- B. Findings for Approval
- C. Conditions of Approval Plans



Area & Zoning Map

PL-2004-0576

Address: 24785 Clawiter Road

Applicant: Pete Zucker

Owner:

I-Industrial



FINDINGS FOR APPROVAL

**USE PERMIT APPLICATION NO. PL-2004-0576
Pete Zucker (Applicant); State Pipe & Supply, Inc. (Owner)
24785 Clawiter Road
Request to Operate a Major Outdoor Storage Yard.**

General

- A. The approval of Use Permit application No. PL-2004-0576, as conditioned, will have no significant impact on the environment, cumulative or otherwise. The project reflects the City's independent judgment, and the project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Sections 15332 of the CEQA Guidelines (*In-Fill Development Projects*).

Use Permit

- B. The proposed use is desirable for the public convenience or welfare in that, the streetscape will be improved with an attractive screen wall, landscaping and a sidewalk.
- C. The proposed use will not impair the character and integrity of the zoning district and surrounding area in that the conditions imposed on the operation of the outdoor storage will ensure that the use will have no significant impact on surrounding properties.
- D. The proposed use will not be detrimental to the public health, safety, or general welfare in that the materials stored will not be visible from public views as they will not be stacked higher than the 8-foot screen wall.
- E. The proposed outdoor storage area use is in harmony with applicable City policies and the intent and purpose of the zoning district involved in that the site is intended for industrial development and use and the open storage area is a conditionally permitted use in the Industrial district.

CONDITIONS OF APPROVAL

USE PERMIT APPLICATION NO. PL-2004-0576
Pete Zucker (Applicant); State Pipe & Supply, Inc. (Owner)
24785 Clawiter Road
Request to Operate a Major Outdoor Storage Yard.

General:

1. Application Nos. PL-2004-0576 is approved subject to the conditions listed below. This permit becomes void one year after the effective date of approval, unless prior to that time a business operations have commenced in accordance with all applicable conditions of approval, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division 15 days prior to the above date.
2. 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.
3. 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.
4. Prior to storing materials in the yard, all improvements indicated on Exhibit "A", and all conditions of approval shall be completed to the satisfaction of the Planning Director.
5. Any signs shall comply with the Sign Ordinance regulations for the Industrial Zone District. Prior to installation of any signs, sign plans and a sign permit application shall be submitted for approval by the Planning Director. Signs shall consist of individual metal letters attached directly to the precast screen wall, or a sign of comparable quality. Any illumination shall be external.
6. A copy of the conditions of approval for the conditional use permit must be kept on the premises of the establishment and posted in a place where it may readily be viewed by the general public.
7. 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) It shall be noted that slats of a color to match the screen wall will be added to the chain link fence along the railroad tracks to limit visibility of the yard from Depot Road.
 - c) Details shall be added specifying the design of the decorative 8-foot-tall precast screen wall along Clawiter and Depot Roads. The wall shall consist of decorative concrete panels with a trim cap on each panel and with pilasters and decorative caps at least every 15 feet. The design shall be approved by the Planning Director.

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- d) Show that an awning be added over the entrance door on the east elevation.
- 8. The entire building shall be repainted prior to occupancy of the building or the site.
- 9. Prior to issuance of a building permit, color samples shall be submitted for:
 - a) two base colors and a trim color for the painting of the building; and
 - b) the screen wall and metal gates.
- 10. The property owner shall maintain in good repair all fencing, walls, buildings, lighting, gravel areas and driveways. The premises shall be kept clean and in an orderly fashion.
- 11. Any materials stored in the yard shall not extend above the 8-foot high sound wall.
- 12. The storage yard shall have security lighting installed that complies with the City Security Ordinance. A lighting plan designed by a qualified lighting designer shall be submitted with the building permit application.
- 13. The screen wall shall be coated with an anti-graffiti treatment.
- 14. Driveway gates shall remain open during business hours so that trucks and cars do not have to wait on public streets to gain entry to the site.

Landscaping:

- 15. Prior to issuance of a building permit, the landscaping plans shall be revised to reflect the following:
 - a) Vines planted along all fences and walls.
 - b) Show a 6" curb around all landscaping areas that abut driveways or parking spaces
 - c) Standard parking spaces should be reduced to 16 ½ feet in depth and the planter widened to 12 ½ feet. A 2 ½ foot overhang may extend into the landscaping.
 - d) Ground cover to extend under all shrubs and trees. Use herbaceous ground cover such as fragaria, gazania or vinca minor.
 - e) Shrubs and vines to screen trash enclosure (unless behind the building).
- 16. 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.
- 17. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion, and an Irrigation Schedule shall be submitted to the City Landscape Architect.

Engineering:

- 18. The gravel surface shall be maintained at 6 inches deep minimum.

19. 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 storm water runoff to the maximum extent practicable. It is highly recommended that a grassy swale be installed to intercept the surface runoff. If this is not feasible, a CDS unit or equivalent shall be installed at the downstream end of the storm drain system prior to connection to the existing catch basin on Depot Road.
20. Prior to issuance of a grading permit and/or the beginning of any construction activity on-site, the Developer's Engineer shall complete a Development Building Application Form Information: 1) Impervious Material Form, and 2) Operation and Maintenance Information Form.
21. The owner shall prepare a Storm Treatment Measures Maintenance Agreement (available at Engineering and Transportation Division); the Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance is bound to the property in perpetuity.
22. A copy of the Notice of Intent (NOI) from the State Water Resources Control Board shall be provided to the City prior to the start of grading.
23. Prior to issuance of a building permit, the owner shall dedicate sufficient right-of-way to construct a six foot sidewalk along Clawiter Road, consistent with and conforming to adjacent improvements. It appears that 6 feet will need to be dedicated. The exact area will be determined by the City Surveyor.
24. The developer shall construct standard curb, gutter and 6-foot wide sidewalk along the Clawiter Road frontage. Damaged improvements along Clawiter and Depot Roads shall be replaced.
25. The Developer's Engineer shall provide hydraulic calculations sufficient to analyze downstream impact. The storm drain system shall be reviewed and approved by the ACFC & WCD.
26. Three standard streetlights along the property frontages (2 on Clawiter Road and 1 on Depot Road) shall be installed.
27. Each driveway opening shall be redesigned and constructed per City Of Hayward Standard Detail 110 (sheet 2 of 2).

Fire Department:

28. Paved access shall be all-weather surface and engineered and designed to withstand the gross vehicle weight (GVW) of fire apparatus (50,000 lbs.).
29. Gates shall be provided with either a lock box (manually operated) or a Fire Department key switch (automated or electrically operated).
30. There shall be no other types of storage allowed within the yard beyond the dedicated storage areas (piles) that will create an obstruction to fire access (entry, exiting and turning around), unless reviewed and approved by the Fire Department.
31. Dedicated storage areas shall be either striped or cordoned off to alert employees who are working in the yard as to the proper storage perimeters.

32. The storage of pipe and related materials shall be performed in a safe and acceptable manner so as to prevent any type of toppling, which ultimately may result in injury or death to employees and workers.
33. Portable fire extinguishers shall be located throughout the storage yard in locations acceptable to the Fire Department. Fire extinguishers shall have a minimum rating of 2A:10BC or other required rating pending use of area.
34. Exterior areas (on the property) where fabrication and/or cutting/welding operations are conducted shall be in compliance with the Fire Code. Any use of open flame process shall be maintained a minimum clear distance of 25 feet from any combustible materials.
35. The new (on-site) fire hydrant shall be installed per City standards. The required minimum flow shall meet 2,500 gallons per minute at 20 PSI. The type of fire hydrant shall be double steamer with two 4½" outlets and one 2½" outlet. Protective crash posts shall be installed around the fire hydrant to try and prevent any vehicular impact and damage to the fire hydrant. Crash posts shall be installed per City standards. A blue reflective hydrant marker shall be installed on the pavement adjacent to the fire hydrant location.
36. The site shall have an address posted on the exterior of the screen wall at an approved location with a minimum 6-inch address number installed on a contrasting background.

The following conditions shall apply to the existing building:

37. The new fire sprinkler system installation shall meet design and installation of NFPA 13 Standards.
38. The underground fire service line installed for the fire sprinkler system shall meet design and installation of NFPA 24 Standards.
39. The minimum fire sprinkler system density required for this building shall be .33 gpm over the most remote 3,750 SF of area (as reflected on the submitted plans).
40. The Fire Department Connection (FDC) and Post Indicator Valve (PIV) shall be installed in an acceptable location approved by the Fire Department.
41. The fire sprinkler riser room shall be properly identified with the appropriate signage.
42. Central station monitoring of the fire sprinkler system will be required (if the system has more than 100 fire sprinkler heads).
43. A local alarm bell shall be installed on the exterior of the building as part of the fire sprinkler system.
44. An interior audible alarm device(s) equipped with a manual pull station shall be installed within the building as part of the fire sprinkler system.
45. Portable fire extinguishers having a minimum rating of 2A:10BC shall be installed within the building in locations acceptable to the Fire Department. Where other hazardous uses are being conducted, appropriate types of fire extinguishers shall be utilized.
46. Storage within the building shall be in accordance with the Fire Code and Fire Department requirements. A building permit is required for the installation of storage racks (6 feet or higher). If the storage arrangement qualifies for high pile storage (12 feet

ATTACHMENT C

or higher, or 6 feet or higher for high hazard commodities), the business will be required to obtain a Fire Department annual permit, at which time, additional requirements may be imposed.

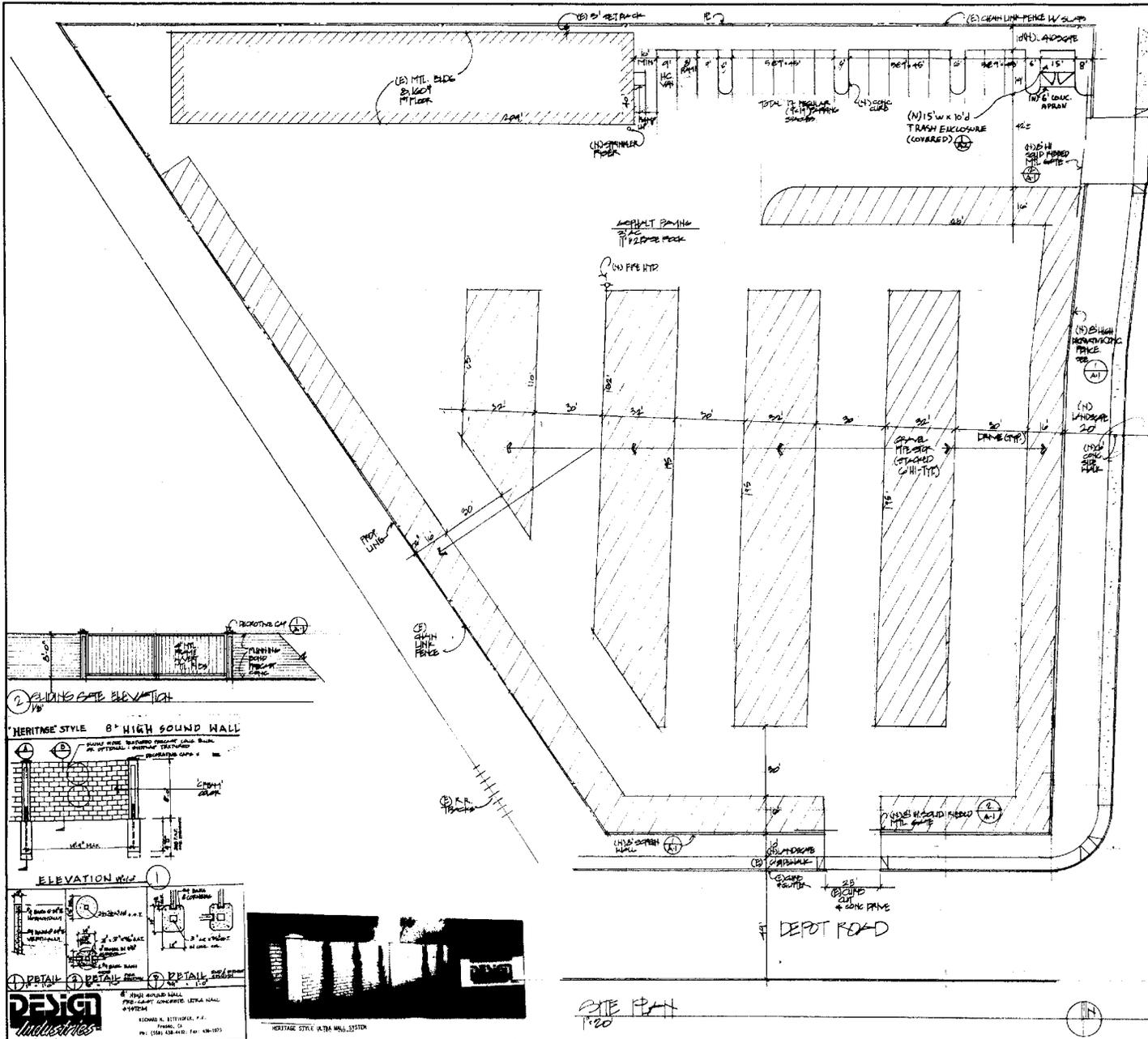
47. Welding, cutting and fabrication of pipe will require a Fire Department annual permit. Areas within the building used for these purposes shall be in compliance with the Fire Code.
48. Any use and/or storage of hazardous materials shall be documented and reported to the Fire Department at time of building permit submittals or final inspection of the proposed improvements. A chemical inventory shall be completed as part of the application and shall identify any hazardous materials being used and/or stored within the building or on the premise. Until receipt of the inventory, use and/or storage of hazardous materials shall not be allowed or restricted to the allowable quantities (as per the Fire Code). Permits may be required for the storage and use of hazardous materials.
49. A minimum 12-inch building address shall be installed on a contrasting background on the exterior of the building in a location acceptable to the Fire Department.

Water Pollution Source Control:

50. Standard Industrial Waste Monitoring Structure (Dwg. No. SD-309 filed 6-15-93) required to be installed end of pipe if not existing due to location in industrial zone.
51. Sanitary Discharge Only: No sanitary plumbing plans are provided. The only acceptable sanitary sewer discharge shall be from normal potable water usage, such as bathroom wastewater, or employee break room wastewater. Any other use of water or generation of wastewater, inside or outside the building, requires the user to contact Water Pollution Source Control at 881-7900 for approval and further information.
52. Stormwater Best Management Practices shall be to prevent the discharge of pollutants to the stormwater sewer and the flood control channel.

Revocation:

53. Violation of any of the above conditions is cause for revocation of this permit, subject to a public hearing before the duly authorized reviewing body.



"STATE PIPE & SUPPLY INC."
2475 CLAWITTER ROAD, HAYWARD, CA

PROJECT DATA
 APN: 4200200400
 City of Hayward, Alameda County, State of California
 Property Owner: State Pipe & Supply, Inc.
 Property Address: 2475 Clawitter Road, Hayward, CA 94545
 Owner Name: State Pipe & Supply, Inc.
 Owner Address: 2475 Clawitter Road, Hayward, CA 94545
 Owner Phone: (510) 885-1100
 Owner Fax: (510) 885-1101
 Owner Email: info@statepipe.com

Site Area: 12,445 sq. ft.
Site Coverage: 5.7%

Building Area: 8,100 sq. ft. (200' x 40' x 8' height)
Site Area: 12,445 sq. ft.
Site Coverage: 65.1%

Site: 12,445 sq. ft.
Site Coverage: 65.1%

Site: 12,445 sq. ft.
Site Coverage: 65.1%

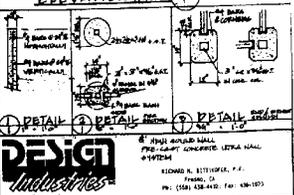
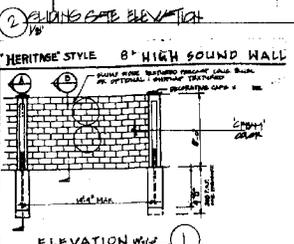
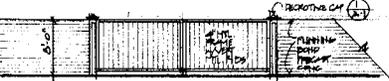
CONSULTANTS

ARCHITECTURAL: RICHARD S. HART, 545 S. TAYLOR BLVD., LIVERMORE, CA 94550. CONTACT: RICHARD HART, 925/454-3434

CIVIL ENGINEER: JENNIFER STEVE ANGEL, 81 SAN RAMON VALLEY BLVD., DANVILLE, CA 94526. CONTACT: JIM DOORNE, 925/821-1786

LANDSCAPE ARCHITECT: WILSON & ASSOCIATES, 2860 WILSON BLVD., BERKELEY, CA 94705. CONTACT: CHARLIE WILSON, 415/846-0400

MECHANICAL: UNITED HEILBRON, 5475 EDWARDS AVE., SANTA CLARA, CA 95051. CONTACT: SEAN DEWITT, 408/985-2000



HERITAGE STYLE ULTRA WALL SECTION

DESIGN INDUSTRIES
 EDWARD R. BITTNER, P.E.
 FAYATOWN, NJ
 PH: 908.438.4400 FAX: 908.438.1000

REVISIONS	BY
1/1/04	

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United Heilbron, Mechanical
 5475 Edwards Ave.
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 Fax: (408) 985-2000
 Email: sean@heilbron.com

SITE PLAN
 STATE PIPE & SUPPLY, INC., BUILDING
 2475 CLAWITTER ROAD, HAYWARD, CA

RECEIVED

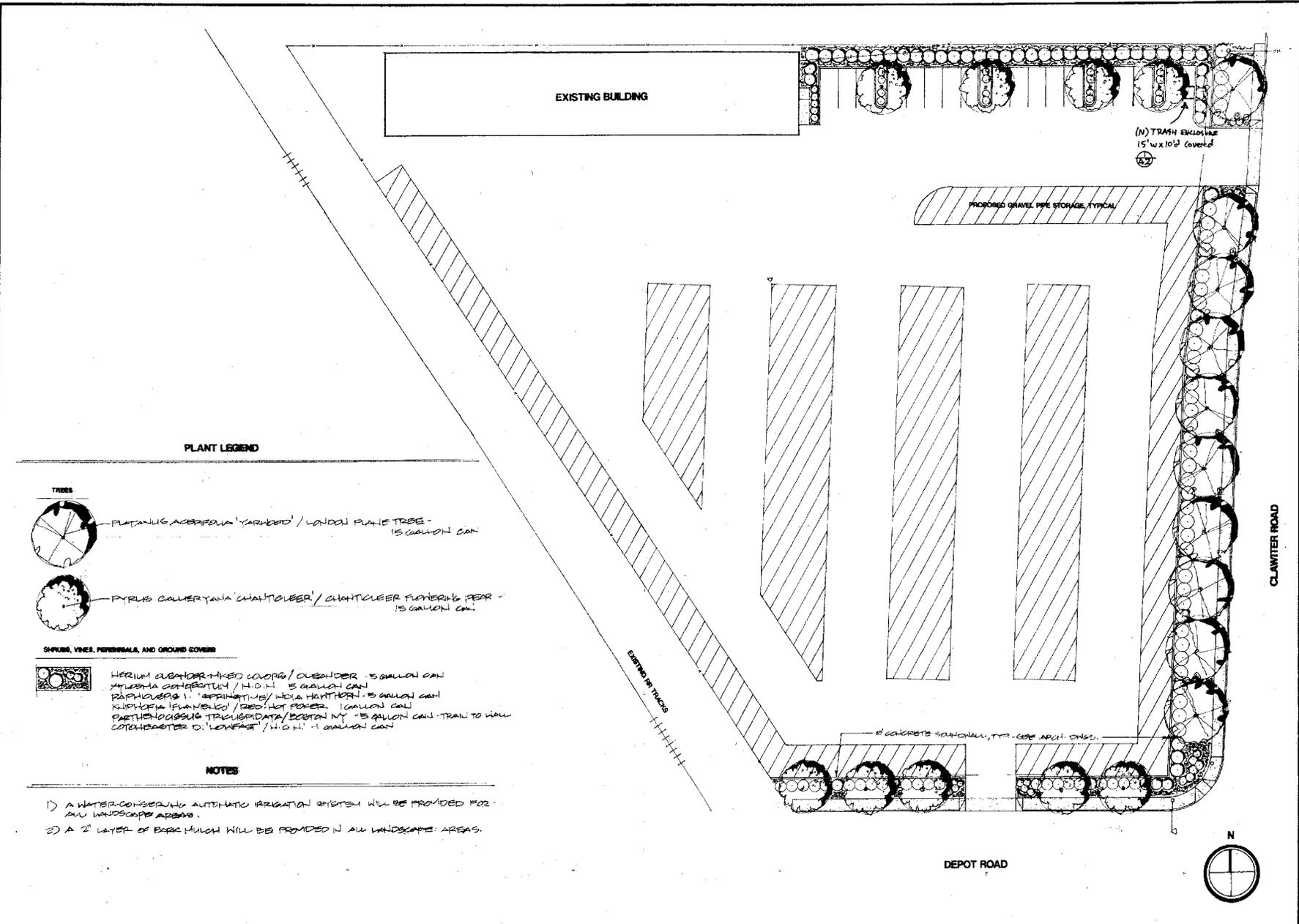
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PLANNING DIVISION

- 1-1 SITE PLAN
- 2-1 TRASH ENCLOSURE DETAILS
- 3-1 GRADING & DRAINAGE PLAN
- 4-1 LANDSCAPE PLAN

Date	9/10/04
Scale	
Drawn	
JO	
Sheet	A-1
Of	1

REVISIONS	BY
10/8/11	
WILSON & ASSOCIATES LANDSCAPE ARCHITECTURE / SITE PLANNING / ASLA 1000 S. GARDEN AVENUE, SUITE 100 BERKELEY, CALIFORNIA 94702 • PHONE 510.844.1989	
PRELIMINARY LANDSCAPE PLAN	
STATE PIPE & SUPPLY, INC. BUILDING 2478 CLAWITER ROAD, Hayward, CA	
DATE	10/20/11
SCALE	1"=20'-0"
DRAWN	SW
CHECKED	
DATE	
PROJECT	PL-1



PLANT LEGEND

TREES



PLATONIC ACERIFOLIA 'KARIBO' / LONDON PLANE TREE - 15 GALLON CAN



PYRUS CALLERYANA 'CHANTOUBER' / CHANTOUBER FLEMING PEAR - 15 GALLON CAN

SHRUBS, VINES, PERENNIALS, AND GROUND COVERS



HERIUM GLABERRIMUM 'MEXICO' / OVERSEER - 5 GALLON CAN
 MYRSINE CORIARIUM / H.O.H. - 5 GALLON CAN
 RAPHANISTRICHUM 'SERRAVALLE' / HOLA HANTHORN - 15 GALLON CAN
 RAPHANISTRICHUM 'SERRAVALLE' / RED HOT POKER - 1 GALLON CAN
 PARTENOCLISSUS TRICOLOR/DATA/BOYD NY - 5 GALLON CAN - TRAIL TO WALL
 COTONEASTER D. 'LOWFAT' / H.O.H. - 1 GALLON CAN

NOTES

- 1) A WATER-CONSERVING AUTOMATIC IRRIGATION SYSTEM WILL BE PROVIDED FOR ALL LANDSCAPE AREAS.
- 2) A 2" LAYER OF BARK MULCH WILL BE PROVIDED IN ALL LANDSCAPE AREAS.