



**CITY OF HAYWARD
AGENDA REPORT**

Meeting Date 07/12/07
Agenda 2

TO: Planning Commission

FROM: Richard E. Patenaude, AICP, Principal Planner

SUBJECT: **Site Plan Review No. PL-2007-0223 – Michael Brady, CSHQA (Applicant) / FPA Hayward Associates (Owner) - Request for Architectural Façade, Parking Lot and Landscaping Improvements**

The Property is the Fairway Park Shopping Center, Located at 31005-31199 Mission Boulevard, Between Gresel and Rousseau Streets, in a Neighborhood Commercial (CN) Zoning District

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 15301, *Existing Facilities*; and
2. Approve the site plan review application, subject to the attached findings and conditions

DISCUSSION:

Fairway Park Shopping Center is located on approximately 12 acres. It contains a combination of retail and service commercial uses, with three fast-food restaurants along the Mission Boulevard frontage. Until recently, the Albertsons grocery store served as the major retail tenant; a RiteAid drug store remains as a primary tenant. The vacated Albertsons store space contains 34,600 square feet, significantly smaller than areas of new stores being considered by major grocery companies. However, residents indicated at a community meeting on October 12, 2006, that it is important to maintain a grocer in this center. The new owner, FPA Hayward Associates LP, is in communication with a number of grocers.

The shopping center property is designated as Retail & Office Commercial (ROC) by the General Plan; its zoning designation is Neighborhood Commercial (CN). Immediately surrounding the center are single-family residences to the north across Rousseau Street (Single-Family Residential Zoning District); and a church and an office building to the south across Gresel Street (Commercial Office District). Immediately adjacent to the west are a 45-unit residential condominium development on approximately 3 acres and a 100-unit apartment development on nearly 4 acres. The condominium development is zoned Medium-Density Residential (RM) District and the apartments are zoned High-Density Residential (RH) District.

Building and Site Improvements

The new owner proposes cosmetic changes to only the façade of the primary shopping center buildings. The basic form of the buildings would not be altered. No changes are proposed to the fast-food restaurants along Mission Boulevard or to the convenience shops within the parking lot. Within the parking lot, the owner proposes additional trees to comply with City standards. The shopping center, as a whole, currently provides 715 parking spaces; 613 spaces are required. With the proposed improvements, 660 parking spaces remain.

The central Mission Boulevard entry currently consists of double two-way drives with diagonal parking along the inside of each drive. A 20-foot-wide landscape strip separates the two drives and parking rows. The double driveway creates a confusing, and potentially dangerous, access at the street. The parking spaces there are not associated with any of the buildings on the property. The owner proposes to alter the Mission Boulevard entry such that the drives would be converted to a pair of one-way drives, separated by a larger landscaped area, to create an attractive “boulevard” entry; the parking spaces along the drives would be eliminated. Staff recommends that the landscape area provide pedestrian access to connect Mission Boulevard with the shopping center buildings, delineated by decorative paving.

Within the landscape area, the applicant proposes a 31-foot-tall entry tower to identify the shopping center and the major tenants. The design of the entry tower would be consistent with that of the shopping center and complements the tower elements on the building. Staff recommends that the surrounding landscaping elements be complementary to the tower design.

The architect proposes a contemporary design with a stucco exterior to which would be added vertical architectural features to highlight the major tenant spaces and break up the linear expanse of the shopping center. A metal-roofed tower, approximately 36 feet in height, would be added at the front of the pedestrian mall between the two primary buildings. Similar towers would be added at the entries of the market and health club spaces. The towers would be of brick to complement the existing exterior of the market space.

The drug store space would be highlighted by a break in the roofline – the flat parapet being replaced with an arched form – and by substantial vertical columns. The arched elements are highlighted with a substantial cornice. The existing vertical columns along the colonnade would be extended to the top of the parapet. The columns would be of brick. Two styles of cornices would be added along the top of the parapet. The second-story windows of the offices would be highlighted by canvas awnings. Canvas awnings are also proposed for the windows at the market and bank spaces, and at the southerly towers. A combination of additional architectural detailing and landscape features could also enhance the blank wall at the market space. The pedestrian colonnade could be enhanced by the consistent use of more finely-detailed, warmer materials and landscaping. Staff recommends the use of brick at the storefront bulkheads, landscape planters between the walkway and the parking spaces, and decorative light fixtures.

The applicant also proposes to expand the pedestrian area around the convenience shops by removing a row of parking spaces on either side. This area would provide opportunities for outdoor dining and community congregation. The area would be treated with decorative paving.

The "mall" between the two portions of the primary building should be redesigned to include landscaping and trellises, or other partial cover, over the pedestrian pathway. These improvements would provide an attractive access between the rear parking area and the primary tenants.

As shown on attached plan sheet 5, the north and south elevations, facing Rousseau and Gresel Streets respectively, are large expanses of blank wall that sit closer to the street than would be permitted under current zoning regulations. The CN District requires a setback of 10 feet from the property line, but the buildings are essentially at the sidewalk along Gresel Street and approximately 5 feet from the sidewalk along Rousseau Street. The applicant has proposed minor improvement to either street elevation, with the possibility of murals added to the southerly (Gresel Street) elevation. Staff recommends that these walls be enhanced with a combination of materials, textures, colors, decorative lighting, trellises, and other more-detailed architectural elements to present a more-pleasing face to the surrounding residential community. Varied materials, including those with texture, could also discourage graffiti. Future murals would be enhanced by the enhanced "frame."

The applicant has selected a palette of earthtone colors including muted greens, orange, and purples and warm grays. A bolder purple acts as an accent. This palette would be appropriate within its residential context.

The City Council Commercial Center Improvement Committee reviewed this proposal on May 21, 2007. The Committee supported the proposed improvements to the center and reinforced the owner's efforts to attract a grocer.

PUBLIC NOTICE:

On May 10, 2007, an Official Notice was sent to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Fairway Park and Mission-Garin Neighborhood Task Forces, and the Fairway Park Neighborhood Association. Several telephone messages received in response to the notice indicate that the surrounding residents are excited about seeing improvements made to the shopping center. On July 2, 2007, a Notice of Public Hearing for the Planning Commission meeting was mailed.

ENVIRONMENTAL REVIEW:

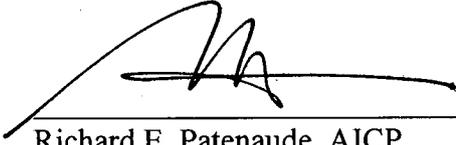
The proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Sections 15301, *Existing Facilities*.

CONCLUSION:

With the staff recommendations, the overall design concept would help revive this outdated shopping center, with the applicant retaining the grocery, enhancing the façade of the dated center,

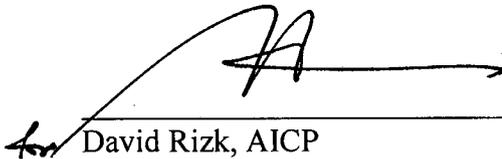
and installing additional landscaping within the barren parking lot. The proposed improvements would help restore the shopping center's place as a hub of the neighborhood.

Prepared by:



Richard E. Patenaude, AICP
Principal Planner

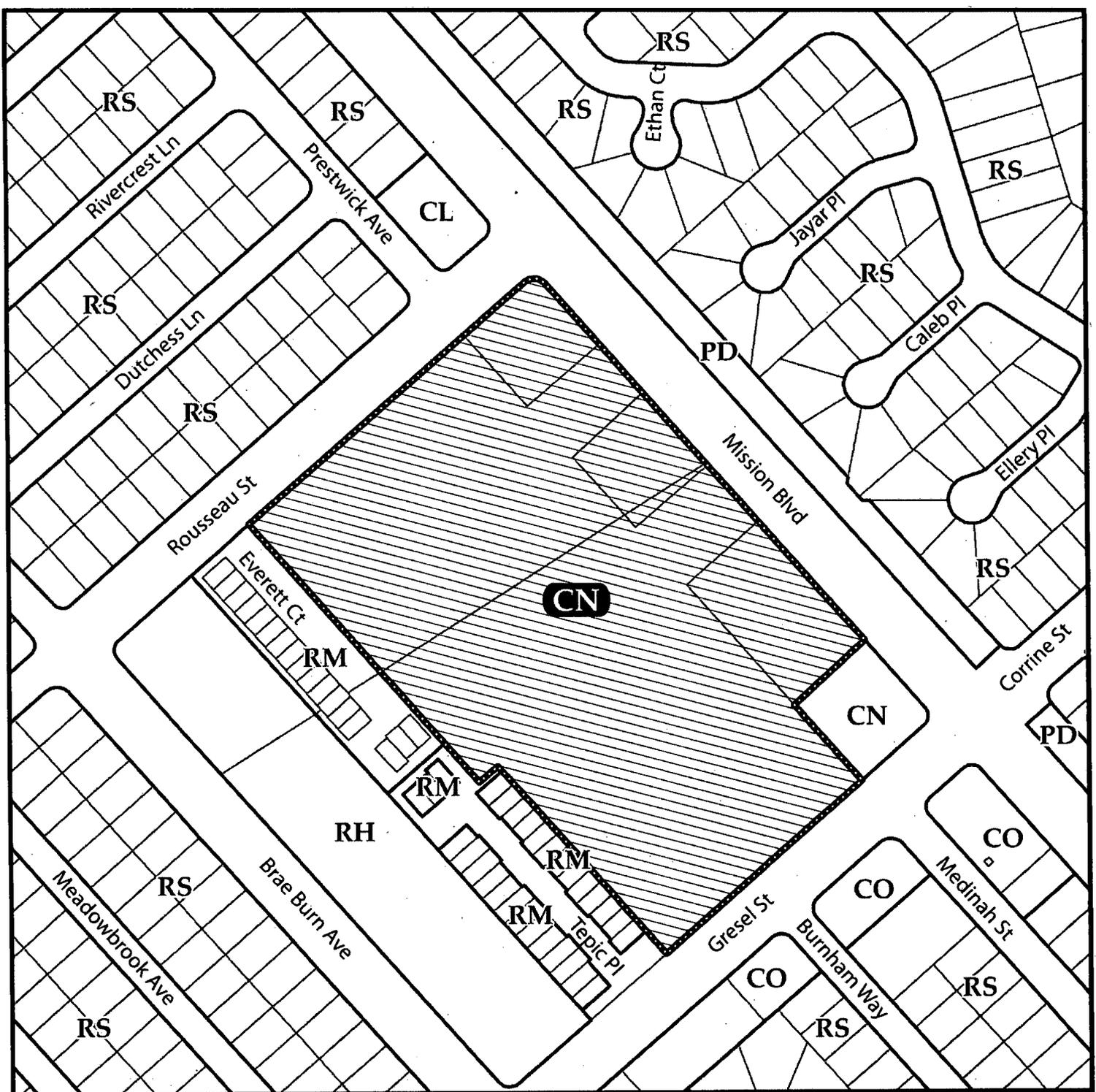
Recommended by:



David Rizk, AICP
Planning Manager

Attachments:

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



Area & Zoning Map

PL-2007-0223 SPR

Address: 31005-31199 Mission Blvd

Applicant: Michael J. Brady

Owner: FPA Hayward Associates, LP

Zoning Classifications

RESIDENTIAL

- RM Medium Density Residential, min lot size 2500 sqft
- RS Single Family Residential, min lot size 5000 sqft

COMMERCIAL

- CL Limited Access Commercial
- CN Neighborhood Commercial
- CO Commercial Office

OTHER

- PD Planned Development



ATTACHMENT A

PL-2007-0223 SPR
Michael Brady for CSHQA (Applicant)
FPA Hayward Associates (Owner)
Fairway Park Shopping Center – 31005-31199 Mission Blvd.

Findings for Approval:

- A. Approval of Site Plan Review Application No. PL-2007-0223, to allow façade, parking and landscape improvements to a shopping center in the Neighborhood Commercial District is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities).
- B. The improvements are compatible with the surrounding neighborhood and its uses and are intended to restructure the shopping center as the historical center of the Fairway Park neighborhood.
- C. The improvements take into consideration physical and environmental constraints in that they provide upgrades to an existing property without disturbing the surrounding neighborhood uses.
- D. The development complies with the intent of City development policies and regulations including, but not limited to the Zoning Ordinance and the City's Design Guidelines, in that the improvements will enhance a long-established, large, neighborhood-serving retail center, which will add to the vitality of the neighborhood.
- E. The development will be operated in a manner determined to be acceptable and compatible with surrounding development in that retail use of the property is expected to continue with few if any external impacts. There will be sufficient parking on site to accommodate existing and future uses, and the circulation system will be safe and include right-turn only egress onto Mission Boulevard.

CONDITIONS OF APPROVAL

PL-2007-0223 SPR

Michael Brady for CSHQA (Applicant)

FPA Hayward Associates (Owner)

Fairway Park Shopping Center – 31005-31199 Mission Blvd.

Site Plan Review Application PL-2007-0223 is approved to remodel the Fairway Park Shopping Center, including parking lot reconfiguration and new landscaping. The project shall be constructed according to these conditions of approval. This approval is void one year after the effective date of approval unless prior to that time an extension is approved. Any modification to this permit shall require review and approval by the Planning Director. A request for a one-year extension-of-time, approval of which is not guaranteed, must be submitted to the Planning Division at least 30 days prior to expiration.

General

1. If a building permit is issued for construction of improvements authorized by the site plan review approval, said 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 site plan review approval.
2. Prior to final inspection, all pertinent conditions of approval and all improvements indicated on the approved plans shall be completed to the satisfaction of the Planning Director.
3. No outside storage of material, crates, boxes, etc. shall be permitted anywhere on site, except within the trash enclosure areas as permitted by fire codes. No material shall be stacked higher than the height of any trash enclosure screen wall and gate.
4. Tenant management shall take reasonable necessary steps to assure the orderly conduct of employees, patrons and visitors on the premises to the degree that surrounding residents and commercial uses would not be bothered and that loitering is not permitted.
5. Sidewalks and parking lots must be kept free of litter and debris and to minimize the amount of wind-blown debris into surrounding properties. If pressure washed, debris must be trapped and collected to prevent entry to the storm drain system. No cleaning agent may be discharged to the storm drain. If any cleaning agent or degreaser is used, washwater shall not discharge to the storm drains; washwaters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City wastewater treatment plant. Mechanical groundskeeping activities, such as leaf blowers and parking lot sweepers, shall be limited to daylight hours only in any parking/service area adjacent to the easterly property line.

6. A minimum of two trash receptacles shall be placed at each customer entry to the major tenants and any restaurant, and one trash receptacle for each of the other tenants. Trash receptacles shall be a decorative, pre-cast concrete or metal type with a self-closing metal lid. Design of the receptacles shall be submitted with the building permit application for approval by the Planning Director.
7. No vending machines shall be displayed outside the building, except for newspaper racks.
8. The owner shall maintain in good repair all building exteriors, walls, lighting, trash enclosures, pavers, pathways, drainage facilities, driveways and parking areas. The premises shall be kept clean. Any graffiti painted on the property shall be painted out or removed within 72 hours of occurrence.
9. Deliveries at the rear of the primary building shall occur between the hours of 7:00 a.m. and 10:00 p.m. only. Refrigerated trucks shall not be permitted to park in the loading area between the hours of 10:00 p.m. and 7:00 a.m.

Design

10. A final color palette shall be submitted with the building permit application. Architectural detailing and colors require review and approval by the Planning Director.
11. The location and details of any cart storage wall, and cart corrals within the parking lot, shall be submitted with any building permit application for tenant improvements for any business utilizing shopping carts. The control of shopping carts is subject to the provisions of Section 6-12 of the City Municipal Code, which requires physical measures to prevent the removal of carts from the property. Such measures shall be submitted with the building permit application.
12. All roof mechanical equipment and any satellite dish shall be fully screened from ground-level view within 150 feet of the property.
13. Prior to occupancy and the installation of any signs, the Applicant shall submit a Sign Permit Application for a Sign Program to the Planning Director for review and approval, subject to the following:
 - a. Compliance with the City of Hayward Sign Regulations;
 - b. The base and framing of the freestanding/monument sign shall reflect the architectural design, colors and materials of the building;
 - c. Wall signs shall use individual channel letters without visible raceways;
 - d. Directional signs shall not exceed 6 sq. ft. in area per face and 3 feet in height; and
 - e. The applicant/business operators shall not display any illegal banner signs, portable signs or other illegal signs on the property.
 - f. Signs shall not obscure architectural elements nor shall the edge of any sign be any closer than 6 inches to the edge of the feature on which it is located.
 - g. Existing freestanding signs shall be removed.
14. Exterior lighting for the establishment shall be maintained which is adequate for the illumination and protection of the premises but does not exceed a light level that provides

glare to motorists, nor spills onto nearby properties, or up into the sky. The fixtures shall be designed to keep the light from spilling onto adjacent properties. Wall-mounted light fixtures shall not be mounted greater than 14 feet high. Within the parking lot, the minimum requirement is 1-foot candle of light across the entire surface. Luminaries shall be of a design that complements the architectural style of the building and the landscaping in developing a quality image of the City of Hayward pursuant to the Landscape Beautification Plan and shall be approved by the Planning Director as part of the building permit application. The maximum height of the luminaries shall be 38 feet unless otherwise permitted by the Planning Director. The lighting, and its related photometric, plan shall be reviewed and approved by the Planning Director as part of the building permit application.

15. Construction noise from the development of this site shall adhere to standard restrictions on hours and days of operation as specified in the City of Hayward Municipal Code, Article 1, Section 4.103(2).

Landscaping

16. Prior to the approval of improvement plans or issuance of the first building permit, detailed landscape and irrigation plans shall be approved by the City and shall be a part of approved improvement plans and the building permit submittal and submittal plans shall be wet stamped and signed. The plans shall be prepared by a licensed landscape architect on an accurately surveyed base plan and shall comply with the City's *Water Efficient Landscape Ordinance*. A Landscape Water Use Statement in Landscape Design shall be completed and included on the plan. Any failed landscape areas that are void of live plants shall be restored or planted and irrigated. Provide automatic spray irrigation system with rain sensor device that provides 100% irrigation coverage efficiently for new and restored landscape areas. All new trees shall be planted per SD-122 and shall receive drip emitters or a bubbler per each tree on a separate valve. Bubblers shall not exceed 1.5GPM per device. Any new backflow preventers shall be located closer to structure away from the edge of road or pavement on a concrete pad. A polar blanket and steel caging shall be provided for each backflow preventer.
17. Adopt a "Bay Friendly" landscaping concept. Amend soil with compost. Minimize turf area. All plants shall be drought tolerant. Provide a minimum 2" deep bark mulch, pre-emergent, and groundcover in all planting beds. See www.stopwaste.org and www.bayfriendly.org.
18. Any Demolition Plan must include existing landscape. Identify all planting to remain; differentiate all existing planting to be removed; and locate all other site features such as signs, fire hydrants, and utilities.
19. Provide a comprehensive arborists report by a licensed arborist on all existing trees within the limit of project area including health, species, caliper, approximate height, canopy diameter, and value using the latest edition of "Guide for Plant Appraisal" by the International Society of Arboriculture. Provide ISA worksheet per each tree is subjected for valuation. The arborists report and valuation shall be reviewed and approved by the City. A bond will be required for all trees that are to remain. If any tree that is designated

as saved is removed or damaged during construction, it shall be replaced with tree of equal size and equal value.

20. A separate tree removal permit will be required for all trees that are to be removed. This shall be obtained from the City Landscape Architect prior to demolition.
21. A separate tree pruning permit will be required for all trees that are in need of pruning. Proper pruning is always recommended for all existing trees.
22. Street trees shall be planted along all street frontages at a minimum of one 24-inch box or larger tree per 20 to 40 lineal feet of frontage or fraction thereof, except where space is restricted due to existing structures or site conditions per City Street Tree Detail SD-122. Tree planting detail SD-122 will not be limited to street tree planting but all tree planting except for low branching or multi trunk trees.
23. Any existing street tree along Mission Blvd., Rousseau Street and Gresel Street that is in declining health or causing damage to sidewalk shall be replaced with a minimum of 24" box tree. The type of replacement tree shall be approved by City Landscape Architect. Replace any missing street trees.
24. All trees shall be planted a minimum of 5 feet away from any underground utilities, a minimum of 15 feet from a light pole, and a minimum of 30 feet from the face of a traffic signal, or as otherwise specified by the city. Root barriers shall be provided for all trees that are located within 7 feet of paved edges or structure. All trees planted in turf areas must be provided with a plastic trunk guard.
25. All nursery stakes shall be removed during tree installation and staking poles shall be removed when the tree is established or when the trunk diameter of the tree is equal or larger to the diameter of the staking pole.
26. The pedestrian path between Mission Boulevard and the buildings shall be of decorative paving, including the sections crossing driveways. Use interlocking pavers or pavers on a sand leveling bed at the entry and central outdoor plaza areas.
27. All planting areas shall be a minimum 6 feet wide measured from face of curb to face of curb and shall be provided with shade trees, shrubs and live groundcovers. One-foot wide curbs shall be provided at any location where landscaping abuts the side of a parking space.
28. Limit the use of *Ulmus parvifolia* (Chinese Elm) in parking lots to provide shade for parked cars. Do not plant it along driveways, roadways or truck routes because of its low branching habits. Use varieties that has upright branching patterns such as *Pyrus*, *Lagerstroemia* and *Acer buergeranum*.
29. All parking is required to be screened from the street with a solid evergreen hedge of shrubs with a mature height that reaches to 30 inches within 2 years.
30. Trash enclosures must be screened on all three sides except on the access side with continuous shrubs and vines that are a minimum 5-gallon in size. When trash enclosure

unit is attached to other structure, the walls that are exposed to the public shall receive landscape screening with shrubs and vines. If vines are not a self-clinging type, vine supports shall be provided.

31. All above ground utilities shall be screened with a minimum 5 gallon evergreen shrub to provide continuous screening.
32. Prior to the issuance of Certificate of Occupancy, landscape and irrigation shall be completed per the approved landscape and irrigation plans and accepted by the project landscape architect prior to submitting a Certificate of Substantial Completion to the City Landscape Architect for an inspection (attached in Landscape Design Checklist). An Irrigation Schedule shall be submitted prior to the final inspection and acceptance of improvements.
33. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) 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 the Municipal Code.

Parking/Driveways

34. All parking stalls and maneuvering areas shall meet the minimum standards of the City Parking Ordinance. The parking areas shall be paved with either Portland cement or asphalt concrete and the area shall be striped to designate the parking stalls. Aisles, approach lanes, drive-through lanes and maneuvering areas shall be marked and maintained with directional arrows and striping to control traffic flow.
35. Vehicular circulation areas shall be signed as a fire lane and posted for no parking except within designated parking stalls and pick-up areas.
36. The driveway entries from the adjacent streets, between the property line and the first cross aisle, shall be enhanced with decorative pavement such as colored and/or stamped concrete (bomanite or equivalent), brick, concrete interlocking pavers, or other approved materials. The Planning Director shall approve the location, design and materials utilized as part of the building permit application.

Utilities

37. Each business must have an individual water meter. Exceptions to this requirement would be considered where all of the following conditions are met:
 - A) The business is located in a building that is served by an individual water meter.
 - B) The business uses a small amount of water (e.g., has only one restroom).

- C) The business is served by a private sub-meter installed and read by the Developer.
38. Any water meters which cannot be reused must be abandoned at the water main by city forces at developer's expense.
 39. Install a separate irrigation water meter for landscaping purposes.
 40. Install Reduced Pressure Backflow Prevention Assembly as Per City of Hayward Standard Detail 202 on all domestic & irrigation water meters.
 41. Water & Sewer service available subject to standard conditions and fees in effect at time of application.
 42. Additional Sewer System Capacity to accommodate the volume and waste strength of wastewater must be purchased, at the rates in effect at the time of purchase, prior to discharge. Water or sewer connection fee credits, if any, for existing services would be in accordance with the applicable City ordinances.
 43. The applicant shall install a mechanical device to control fat, oil and grease discharge from any food service establishment, unless this requirement is expressly waived by the Director of Public Works or designee. The type, size, and location of the device shall be approved by the Director of Public Works.
 44. Add following note to Building Plans: Provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per Hayward Municipal Code 11-2.02.1.
 45. Only Water Distribution Personnel shall perform operation of valves on the Hayward Water System.

Public Safety

46. Maintain the parking lot with dedicated fire travel lanes. The parking lot will need to be striped and painted red along all landscape or vertical curbing abutting the fire travel lanes. White stenciled lettering shall be installed on the red-painted curbing stating "Fire Lane – No Parking". The applicant will need to contact the Hayward Fire Department to verify where red-painted curbing shall be applied;
47. This is a building that is protected with an automatic fire sprinkler system. Any new façade construction that may trigger the need for additional fire sprinkler protection shall be properly permitted. Fire sprinkler alteration drawings will require a separate review and approval by the Hayward Fire Department;
48. Maintain and do not obstruct Fire Department access to the aboveground appurtenances that are utilized for the buildings' fire sprinkler system. In addition, new landscaping and shrubbery shall not block the appurtenances as well;

49. Maintain building and tenant space address numbers. All individual retail tenant spaces shall have address numbers installed on the front door of their business. Address numbers shall be a minimum of 6-inches in height and contrasting to their background.

Solid Waste

50. A Construction and Demolition Debris Recycling Statement must be submitted with the building permit application.
51. A Construction and Demolition Debris Recycling Summary Report must be completed, including weigh tags, at the COMPLETION of the project.

Engineering/Transportation Division

52. Replace curbs, gutters and sidewalks where damaged around the entire development per city standards; handicap ramps shall be provided as required.
53. Mission Boulevard driveways shall be signed for right turns out only.

**DUE TO THE LENGTH OR COLOR
OF THE REFERENCED EXHIBIT,
IT HAS BEEN ATTACHED AS A
SEPARATE LINK.**