



CITY OF HAYWARD
AGENDA REPORT

Planning Commission
Meeting Date 02/11/99
Agenda Item 2

TO: Planning Commission

FROM: James V. De Luz, Assistant Planner

SUBJECT: **USE PERMIT APPLICATION NO. 98-160-20 - DAVID TERWILLIGER/LARRY'S TIRE (APPLICANT), JOHN SUTTER (OWNER):** Request to establish a tire and wheel sales and installation service within an existing 7,700 square foot commercial building. The property is located at 22269 Mission Boulevard, west side, in a CC-C (Central City Commercial) District.

RECOMMENDATION

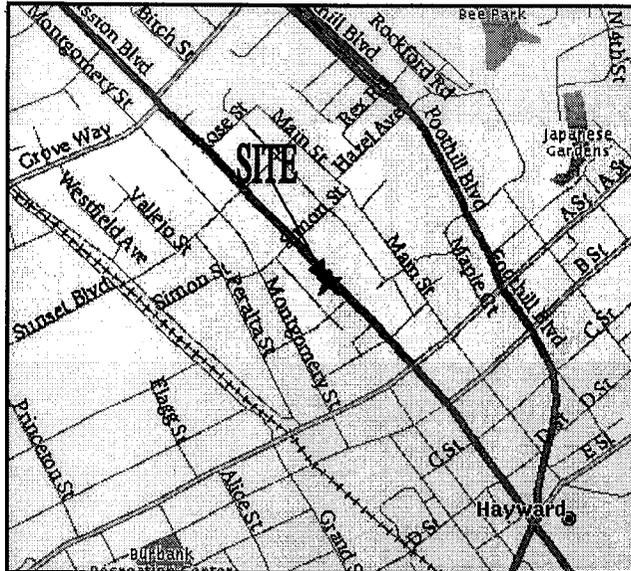
It is recommended that the Planning Commission approve the use permit application subject to the attached findings and conditions of approval.

DISCUSSION

The applicant proposes to relocate his tire and wheel sales and installation service within the former Kilpatrick's Bakery sales distribution building. The building has not been occupied for at least the last several years. The building was specifically constructed for bread sales and distribution in 1977; and because of its specialized design and location on the site, other commercial uses have shown little interest in the property.

The property is located within the area encompassed by the North Hayward Neighborhood Plan, which was adopted in 1994. The Plan addresses rezoning the area along the east and west sides of Mission Boulevard north of "A" Street from CG (General Commercial) to CC-C (Central City Commercial) District. City Council followed the recommendation of the Neighborhood Plan and rezoned the area to CC-C in 1995. After rezoning Mission Boulevard much debate ensued and concerns were raised by Mission Boulevard property owners who feared automotive related uses would be "zoned" out of the area. Many property owners threatened to take the rezoning issue back before Council. Council clarified that existing automotive related uses were recognized as appropriate uses along Mission Boulevard north of "A" Street in the CC-C District. New automotive-related uses are subject to conditional use permit approval.

The property is a flat, rectangular, through parcel, with approximately 150 feet of street frontage on both Mission Boulevard and Pearce Street. It is approximately 192 feet in depth, and 28,800 square feet in area, (0.66 acre). Surrounding properties to the north, east and south are zoned CC-C District. The properties to the west across Pearce Street are zoned Medium Density Residential Cottage, Special Design District (RMSD-3).



Background

Larry's Tires is located at 835 "A" Street within the proposed Lucky Market project site. Larry's predecessor, Superior Tire, and Larry's Tire have operated in Hayward for over 30 years. Larry's must relocate within the next few months so work can begin on construction of the shopping complex. The applicant has searched for an alternate location in the vicinity of his present business so he can continue to serve his current customer base. He also wishes to maintain the business goodwill he established and nurtured over the years and that was also carried over by his business predecessor. The applicant has spent months searching for other suitable sites but has encountered few properties in the immediate area of his existing business that will accommodate his needs.

Proposal

The applicant proposes to convert an existing 7,700 square foot commercial building to a tire sales and installation facility. The proposal involves remodeling a portion of the building to accommodate tire sales and display and a sales office area, and to convert the remaining area to tire installation, service, and tire storage. The facility would operate during normal business hours, 8:30 a.m. to 6:00 p.m., Monday through Saturday. Minor exterior improvements such as new landscaping, irrigation, and fencing are proposed for areas along Mission Boulevard and Pearce Street and the applicant's existing sign from the "A" Street store is proposed to be mounted on the building facade.

Major Issues

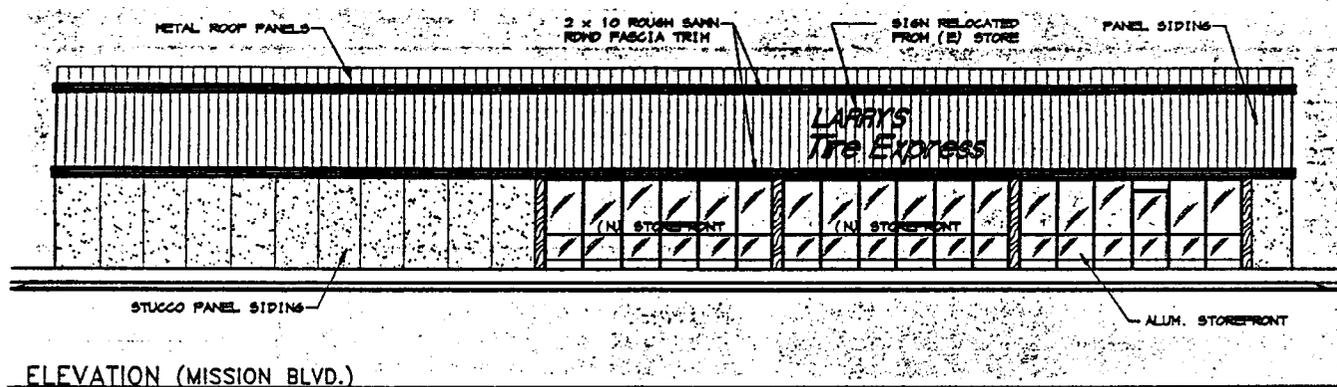
The major issues associated with the conversion of the applicant's building from a bread distribution and sales facility to a tire sales and installation use are:

- Neighborhood concerns such as compatibility with existing residential and commercial uses in the immediate area including noise generated from within the tire installation area;
- Fencing and related site improvements including replacement of curb, gutter, and sidewalk along the Pearce Street frontage;

- Replacement of damaged curb and gutter sections along the Mission Boulevard frontage.

Architecture

The building consists of metal frame construction with cream colored exterior stucco-treated panel walls, and a wood panel facia with a heavy timber rough-sawn redwood trim for accent purposes that is painted a dark brown. The stucco panel walls, facia, and heavy timber trim wrap completely around the exterior of the building. The applicant proposes to clean the building exterior and paint it the same color. A tire sales and display area will be established within a portion of the building along the Mission Boulevard frontage and a series of store front display type windows and customer doors will be installed within the wall. In staff's opinion, display windows will create a more attractive streetscape. The applicant does not propose any other modifications or revisions to the building exterior.



Site Improvements/Street Dedication

Site improvements include removal of the truck well at the south side of the building, backfilling and repaving the truck well area, repair and repaving of the parking lot and vehicular circulation areas, replacement of the damaged 6-inch concrete curbs around the landscaped areas, and the installation of a fossil filter system within the existing drainage system. Before issuance of a building permit, the City Engineer must approve a drainage plan, and all site improvements must be completed prior to occupancy.

The Pearce Street frontage suffers from deferred maintenance as sidewalks and curbs are cracked and raised. There are also six driveway cuts within the applicant's frontage that are unnecessary. A condition of approval requires replacement of the curb, gutter, sidewalk and tie-in pavement on Pearce Street and repair of the damaged curb and gutter areas on the Mission Boulevard frontage. The property owner has indicated that this is a costly improvement and would prefer to have this requirement deferred. The City Engineer is requiring the installation of these items at this time as the criteria for deferment are not met. It is not within the purview of the Planning Commission to make this decision (Hayward Municipal Code, Chapter 7 Article 1).

Dedication of 10 feet of property frontage was required along Pearce Street for Site Plan Review and Variance Application 76-82, the Kilpatrick's application. Pearce Street was never widened therefore the new street improvements were not constructed. The Neighborhood Plan recommends retaining Pearce Street at its current 40-foot width, so the property accepted by the City for future street widening will be returned to respective property owners once a

vacation is initiated by the Public Works Department and approved by the Planning Commission and City Council.

Parking and Vehicular Circulation/Emergency Access/Handicap Access

Vehicular access will be modified to permit two-way vehicular circulation around the building and an emergency ingress and egress driveway will be added on Pearce Street and an access gate with a lock box or equivalent locking device will be installed. The gate will remain locked and customer and employee access will be prohibited on Pearce Street in recognition of the residential character of the street. Modification of the building to create the tire sales and display area will require the installation of a handicap parking space and a handicap access ramp at the front of the building adjacent to the main building entry area. Adequate on-site parking exists for the proposed use. The applicant proposes 21 parking spaces including four spaces within the service area.

Landscaping and Fencing

Landscape modifications proposed by the applicant include the installation of additional plantings along the Pearce Street frontage and pruning and shaping the existing trees and shrubs on the property. The City Landscape Architect recommends the replacement of the shrub plantings along Mission Boulevard, preserving all trees on site with the exception of the small liquid ambers under the eucalyptus canopy, and submittal of a detailed landscape and irrigation plan at the time of building permit submittal.

The applicant proposes to retain the existing chainlink fencing along the Pearce Street frontage. The property owner also wishes to retain the fence, see attached letter from property owner dated January 29, 1999. He states that the existing fence is good condition, that the cost to replace it is significant, and that surrounding properties are fenced with chainlink fencing. Staff concurs that the adjacent commercial properties are fenced with chainlink fencing, however, the applicant's fence is in need of repair and does not enhance the property esthetically. Furthermore the entire westerly side of Pearce Street is designated as a special design overlay historical district that calls for white picket fences across the front of the lot. Chainlink fences are prohibited along the west side of Pearce Street.

Staff recommends removal of the chainlink fencing to be consistent with City adopted Design Guidelines and replacement with a fence design that is complementary, compatible, and consistent with fencing currently in use along Pearce Street and that is reflective of the Cottage Special Design District. Some homes at the west side of Pearce Street were built as early as the 1860's, and much of the fencing along the street consists of white picket, wood board, or Victorian cast iron fencing reminiscent of the last century. Appropriate fencing alternatives include decorative tubular steel with Victorian accents, a decorative milled-board wood fence with a skip space installation so the fence does not create a solid enclosed effect, or a picket fence design. A condition of approval requires the new fence design along the Pearce Street frontage to be approved by the Director of Community and Economic Development/Planning Director prior to the issuance of a building permit.

Signs

The applicant proposes to remove one of his signs from the Larry's Tire store at 835 "A" Street and install it within the building fascia above the proposed tire showroom and sales area.

The sign is internally illuminated, with an individual golden plex face channel letter design. The letters vary from 20-inches to 28-inches in height, and the sign has an overall length of 20-feet and is 60 square feet in area. The sign conforms to the Sign Regulations adopted for the CC-C District. The applicant does not intend to install any additional signage and he will remove the freestanding pole sign located at the Mission Boulevard frontage since freestanding pole signs are no longer permitted in the district.

Trash and Recycling Enclosures

A trash and recycling enclosure is shown at the back of the building. The plans do not indicate the design or materials proposed for either enclosure. City Design Guidelines require an enclosure design that is complementary to the building and that must be constructed of wood, masonry or other durable materials. A condition of approval will require that the design and location of the trash and recycling facilities must be approved by the Director of Community and Economic Development/Planning Director before the issuance of a building permit. Another condition will require the City's Solid Waste Manager to approve the design of the trash and recycling enclosures to ensure the enclosure design conforms with the requirements of the City's Recycling program.

The applicant indicates that all used tires will be stored within the building and that a contract tire removal service will remove used tires at least once a week. The Fire Prevention Bureau does not object to used tire storage within the building since the building will require fire sprinklers and that the fire emergency access provisions including the emergency ingress and egress onto Pearce Street will be adequate. A condition of approval will prohibit storage outside the building including but not limited to tires, rims or equipment.

Acoustics

Because the facility is located adjacent to a multi-tenant residential building to the south and because the building is also fairly close to residences on Pearce Street to the west and Prospect Street to the east, staff requested the applicant prepare an acoustical analysis to address noise mitigation measures. The acoustical analysis prepared by Wilson Ihrig and Associates, Inc., dated January 19, 1999, revealed that the tire installation and service area could potentially generate noise levels that may exceed levels of the existing ambient background noise level for the area.

The analysis addressed noise mitigation measures with recommendations that the applicant may follow to significantly reduce or minimize noise generated from within the building that is produced from the use of vehicle hoists, tire mounting machines, pneumatic impact wrenches, and compressor(s) required to power tire equipment and tools. Specific recommendations, listed below, that the applicant must install to attain acceptable noise levels from within the building are included as conditions of approval.

- Prevent noise transmission through the building walls by the installation of adequate building mass such as framing out new walls on the west and north sides of the building and installing an interior layer of gypsum board and sheetrock, and fiberglass batts within the stud space. Extend interior walls the full height of the building.

- Install partitions internally between the service area and the tire storage area, use adequate building mass, frame out exterior building walls and add an interior layer of gypsum board and plywood, extend partitions the full height of the building.
- Introduce sound absorbing materials within the building, cover at least 25% of the interior wall area with acoustical panels, suspend acoustical baffles from the ceiling of the service area and concentrate wall panels on the west wall and the service/tire storage partitions.
- Locate stationary equipment such as the air compressor, tire machine, wheel balancer and other related equipment as far away from the roll-up door as possible.

The acoustical analysis states these measures should be adequate to prevent noise intrusion into the residential receptors on Pearce Street and Mission Boulevard.

Lighting

The exterior lighting that currently serves the building and the customer and employee parking areas does not appear adequate. A condition of approval will require the applicant to submit a site lighting plan for the property before a building permit can be issued. The plan must incorporate decorative exterior lighting fixtures, lighting must be arranged to reflect away from adjacent properties and designed to conform to the City's Security Ordinance, which is a minimum of one candle-foot at ground level during hours of darkness.

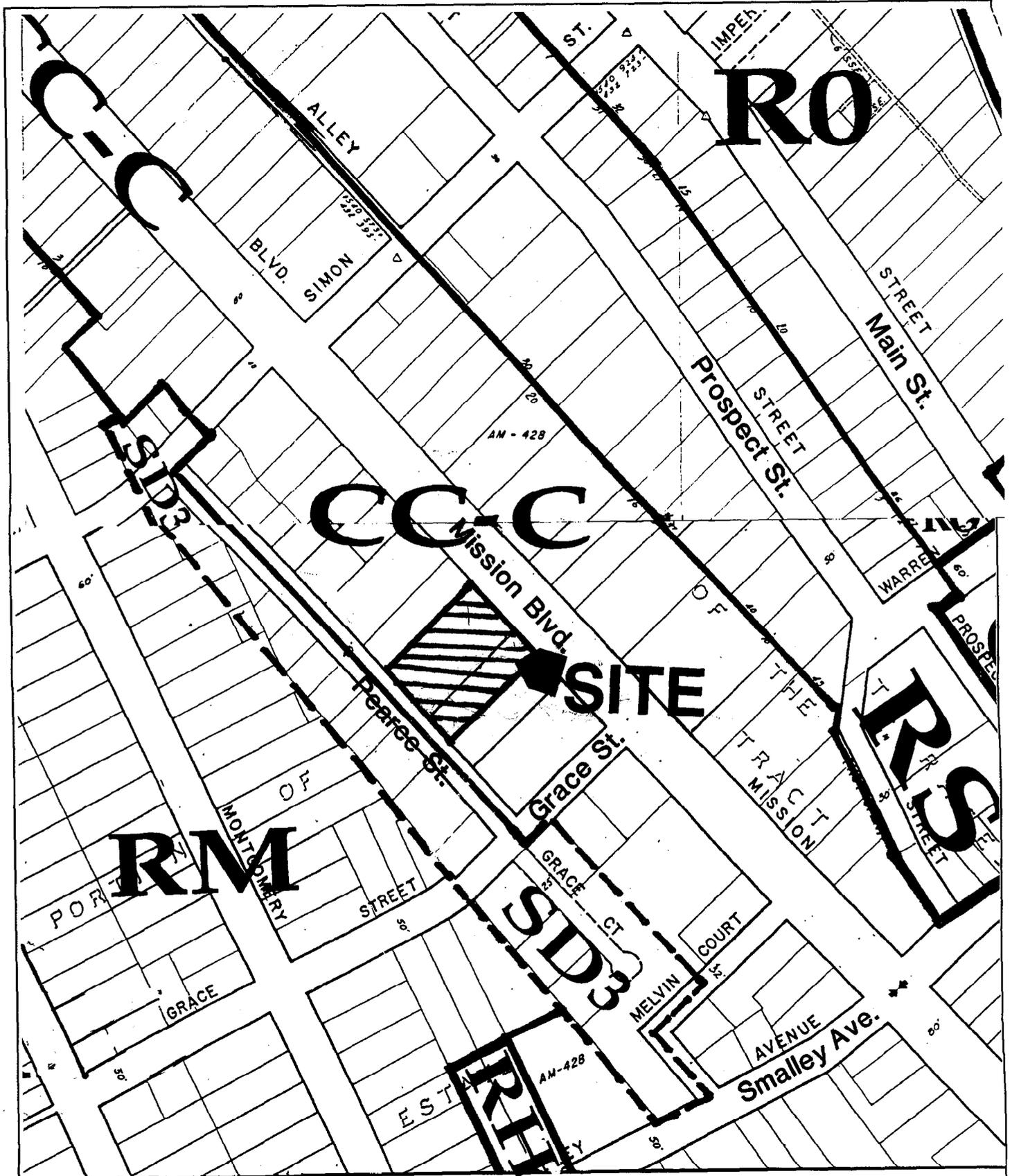
Hours of Operation

The applicant intends to operate during normal business hours, generally between the hours of 8:30 a.m. and 6:00 p.m. Monday through Saturday. Any request to modify the hours of operation is subject to the approval of the Director of Community and Economic Development/Planning Director.

General Plan/Neighborhood Plan/Neighborhood Concerns

The General Plan Map designation for the property and the area along the easterly and westerly side of Mission Boulevard north of "A" Street is Commercial/High Density Residential. A tire sales and installation use conforms to the General Plan designation. The North Hayward Neighborhood Plan adopted in 1994 recognizes that Mission Boulevard has been dominated by auto uses since the 1960's and that neighborhood serving retail is very limited, especially in the evening when most residents are in the neighborhood. Notwithstanding the need for neighborhood oriented retail uses, the applicant's business has served local residents as well as the City's traditional auto row dealerships in the area for over 30 years. The applicant's convenient downtown location at 835 "A" Street has served a wide customer base. The City has recognized the importance of auto sales and related service uses and has supported the establishment of auto-related uses where appropriate, as is the case here.

During the use permit referral process staff solicited comments from neighborhood residents and property owners regarding the project. Four residents and one business owner contacted staff to discuss their comments. None of the four residents reside on Pearce Street, the street nearest the property that is developed residentially. Three residents raised concerns regarding



ZONING/AREA MAP ■ UP 98-160-20

David Terwilliger/Larry's Tire Express (Applicant)
John Sutter (Owner)
22269 Mission Blvd.

**FINDINGS FOR APPROVAL
Use Permit Application 98-160-20
Larry's Tire
22269 Mission Boulevard**

1. That Larry's Tire project as conditioned is desirable for the public convenience or welfare in that the tire sales and service use will be centrally located near the downtown area amid other automobile oriented uses;
2. That Larry's Tire project as conditioned will not impair the character and integrity of the Central City Commercial (CC-C) District and the abutting SD-3 District in that approval of the applicant's request to relocate his existing business will require the applicant to rehabilitate the property to conform with the City's Minimum Design and Performance Standards for the CC-C District, that the addition of new fencing and landscaping along Pearce Street will conform with the design standards established for the SD-3 District including removal of the existing chainlink fencing and replacement with a fence design that is sensitive SD-3 District design requirements, and that the addition of the store front display windows along the Mission Boulevard frontage will enhance the appearance of the building;
3. That the project as conditioned will not be detrimental to the public health, safety, or general welfare in that the applicant will be required to conform with all Uniform Building, Fire and related code requirements, including but not limited to emergency access and handicap requirements, that the applicant will be required to conform with and install all the recommendations and requirements included in the project acoustical analysis prepared by Wilson Ihrig Associates, that the applicant must conform with all conditions of the use permit including but not limited to hours of operation, landscaping, and related site improvements;
4. That the project as conditioned will be in harmony with applicable City policies including the City's Design Guidelines, the North Hayward Neighborhood Plan, and the Central City Development Minimum Design and Performance Standards in that the applicant will relandscape the Pearce Street frontage, that approval of the project will respect the existing 40-foot width of Pearce Street, and that the applicant will be required to install a new fence along the Pearce street frontage that is reflective of the design of residential fencing currently in use on Pearce Street;

CONDITIONS OF APPROVAL
Use Permit Application 98-160-20
Larry's Tire
22269 Mission Boulevard

1. Use Permit Application No. 980160-20 is approved subject to the specific conditions listed below. This permit becomes void on February 11, 2000, unless prior to that time building permit has been accepted for processing by the Building Official, or a time extension is approved A request for a one year extension must be submitted to the Development Review Services Division 15 days prior to the above date.
2. All improvements indicated on the site plan labeled Exhibit "A" shall be installed prior to occupancy of the building.
3. Prior to the issuance of a building permit the applicant shall:
 - a. Submit a detailed design plan and elevations of the tire display and sales area. The design, colors and materials shall be approved by the Director of Community and Economic Development/Planning Director.
 - b. Submit a complete set of construction documents including property survey, architectural/structural and/or electrical/mechanical plumbing/plans, calculations and specifications where possible.
 - c. Provide a detailed design plan of the new handicap access ramp into the building and the new handicap-parking stall adjacent to the ramp. The design and location of the handicap access ramp shall be approved by the Building Official. The handicap parking space location and design shall be approved by the Director of Community and Economic Development /Planning Director.
 - d. Submit a site drainage plan including the design of a fossil filter system.
 - e. Submit a detailed landscape and irrigation plan prepared by a licensed Landscape Architect and for the review and approval by the City Landscape Architect. Landscaping and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*. All trees on-site shall be preserved with the exception of the liquid ambers located below the eucalyptus tree canopy.
 - f. Submit a fence design plan to the Director of Community and Economic Development. Fencing shall reflect a design that is complementary and consistent with fencing design currently in use along Pearce Street and is reflective of the cottage Special Design District.
 - g. Submit to the Director of Community and Economic Development/ Planning Director the design of the exterior trash enclosure and recycling enclosure. The materials shall be complementary to or reflect of materials used within the building. Proposed dimensions and design of the enclosures shall comply with

the City's Recycling Ordinance and shall contain provisions for trash and recycling facilities such as a trash dumpster and recycling carts.

- h. Submit an exterior lighting plan. Lighting shall be designed to reflect away from adjacent properties and shall incorporate decorative exterior fixtures and shall provide a minimum of one candle foot at ground level during hours of darkness.
 - i. Submit a detailed floor plan that shall indicate the proposed interior modifications and revisions reflected in the Wilson Ihrig Acoustical Report to attain sound mitigation within the building. Measure shall include the following:

 - (1) Installation of adequate building mass such as framing out new walls on the west and north sides of the building, installing a layer of gypsum board and sheet rock, install fiberglass batts within the stud space. Extend interior walls the full height of the building.
 - (2) Install partitions internally between the service area and the tire storage area, use adequate building mass, frame out exterior building walls and add an interior layer of gypsum board and plywood, extend partitions the full height of the building.
 - (3) Introduce sound absorbing materials within the building. Cover at least 25% of the interior wall area with acoustical panels, suspend acoustical panels from the ceiling of the service area and concentrate wall panels on the west wall and the service/tire storage area.
 - (4) Locate stationary equipment such as the air compressor, tire machine wheel balance and other related equipment as far away from the roll-up door as possible.
4. Prior to occupancy the applicant shall:
- a. Remove the truck well at the south side of the building, backfill and repave the truckwell area, repair and repave the parking lot, replace the damaged and broken 6-inch concrete curbs around the landscaped planter islands as labeled on the site plan labeled Exhibit "A". All repair shall be done to the satisfaction of the City Engineer.
 - b. Replace the curb, gutter, sidewalk and tie-in pavement on Pearce Street and sections of damaged curb and gutter on Mission Boulevard as required by the City Engineer.
 - c. Provide an emergency access gate with a lock box or equivalent locking device on the Pearce Street frontage. The design of the emergency access gate, including gate width, locking device(s) and location shall be approved by the Fire Marshal.

- d. All existing trees on the property shall be pruned and shaped and the landscape modifications along Pearce Street and Mission Boulevard shall be completed to the satisfaction of the Landscape Architect.
 - e. Submit a sign permit application for relocation of the existing business sign from the applicant's property at 835 "A".
 - f. Submit a detailed floor plan and verification by the applicant's acoustical consultant that the comprehensive noise mitigation requirements and details have been installed within the building and that the building is in compliance with the acoustical engineers recommendations.
 - g. The building shall be fire sprinkled per NFPA standards and to the satisfaction of the Fire Marshal. The underground fire service shall meet NFPA 24 standards for installation and a separate fire permit shall be required. Tire storage shall meet NFPA 231-d standards for racks or tires stored on the floor in excess of 5-feet in height. Submit a detail of the tire storage area and indicate height of tire storage racks or other devices to determine fire sprinkler density. An annual high pile storage permit shall be obtained from Fire Prevention. Fire extinguishers shall be installed within the building as required. Minimum 6-inch address numerals shall be installed on the building that are visible and legible from the street.
 - h. Identify the building occupancy and the extent of vehicle service proposed within the building to properly determine building occupancy. Identify any type of hazardous materials or hazardous storage on-site.
 - i. The applicant shall submit an on-site recycling plan to the City's Solid Waste Manager to be implemented prior to occupancy. The recycling plan shall call for the removal of used tires on a weekly basis.
5. Outdoor storage of tires or related equipment shall be prohibited on-site. Vehicular repair, storage, or related activity outside the building shall be prohibited.
 6. All applicable requirements of the City's Security Ordinance shall be met.
 7. Landscaping shall be maintained in a weed- condition at all times with replacement plants provided where necessary. Required street and parking lot trees that are severely topped or pruned shall be immediately replaced, as determined by the City Landscape Architect.
 8. The property owner shall maintain in good repair all building exteriors, walls, lighting, landscaping, trash enclosures, drainage facilities, driveways, and parking areas. The premises shall be kept clean and any graffiti shall be painted or removed within seven days of occurrence.
 9. The emergency access gates shall be locked with a Fire Marshall approved locking device.
 10. Ingress and egress onto Pearce Street is prohibited for other than emergency vehicles.

11. Prior to authorization for occupancy, including authorization for gas and electric meter service, staff shall ensure that the use arrangement, construction, and improvements are in conjunction with plans approved through verification of zoning compliance procedures.
12. Violation of conditions is cause for revocation of this permit application at a public hearing before the duly authorized review body.

EXHIBIT D

Fax Fax Fax Fax FAX Fax Fax Fax

Please call to confirm receipt Please respond by return fax Call only if transmission is incomplete

Date: 12-4-98

To: James V. DeLuz

Fax number: 510-583-3649

From: Phyllis ~~Pamela~~ Green

Our phone: ~~(510) 825-8515~~ - 581-6589

of pages including cover page: 2

Message: Re: Application Use Permit
(WP) # 98-160-20

December 4, 1998

James DeLuz
Development Review Services Division
777 B Street
Hayward, CA 94541
E-mail: jimd@ci.hayward.ca.us

Re: Application Use Permit (UP) 98-160-20

Thank you for notifying me about the request for a use permit for a tire shop on Mission below my house. As we discussed in our phone conversation on December 2, I am writing my comments on what disturbs me about the noise from existing businesses and why I feel this new business would just add to the disturbing sound.

We already have a motorcycle shop which is the noisiest of all with the roaring and revving of the motors. We already have a tire shop; their air compressors are very loud and the sounds from dropped tools reverberate. There is also a self-service carwash. Cars using the car wash very often have radios blasting for extended periods of time.

There are also four used car lots. The loudspeakers that they use to call the salesmen from the office can be heard for blocks away. Also, the security systems on the cars go frequently, often for a long time. One Sunday, for example, one went off and blared for about two hours.

Add to that the normal sounds of traffic on Mission and the noise from the BART tracks, and you can see that it is often very loud in our neighborhood. I just feel that the new project would add to the stress caused by all the existing noise. I just wish I had been given the privilege of making comment before the motorcycle shop received a permit, because it is the noisiest of all.

I realize that everyone has to make a living, but I wish that the tire shop could find another location. Perhaps the city could help them.

Cordially,
Phyllis Green
22245 Prospect Street
Hayward, CA 94541

JOHN SUTTER
3627 Klamath Street
Oakland, CA 94602
Phone (510) 530-3711
Fax (510) 531-5420

January 29, 1999

Mr. James V. DeLuz
Department of Human and Economic Development
Hayward City Hall
777 "B" Street
Hayward, CA 94541

Re: Application UP 98-160-20
22269 Mission Blvd.
Hearing: February 11, 1999

Dear Mr. DeLuz:

As you know, I am the owner of the former Kilpatrick's Bread Store at 22269 Mission Blvd., on which you have a Conditional Use Application from Larry's Tire Express.

I am writing in support of the plans submitted by Architectonix on behalf of Larry's on January 25, 1999. In particular, I request that the existing chain link fence at the rear of the property be allowed to remain in place as shown on the plans.

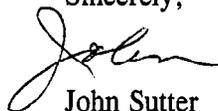
The existing fence is in good condition, and its replacement would be a significant expense. The surrounding properties on both sides have chain link fences as do a number of other properties on our side of the street in this block. In fact, one of the few houses on our side also has a chain link fence. Most of the properties are commercial.

Since one can see through a chain link fence, it provides important security to the proposed business, Larry's Tire Express. Burglars, vandals, graffiti artists and arsonists are less likely to commit their crimes in places open to public view.

If, however, the City insists on a changed appearance to the rear of the property, we could live with a condition requiring the planting of ivy or some other vine which will grow into the fence.

I had expected to attend the February 11, 1999 Planning Commission meeting to make the above points, but I must now attend an out of state meeting on that date and will not be able to appear. I therefore request that if staff recommends against my request relating to the fence, copies of this letter be distributed to the members of the Planning Commission.

Sincerely,


John Sutter

JS/ys

cc: Architectonix
Dave Terwilliger
Merrit Bartlett, Redevelopment Director

RECEIVED

FEB 02 1999

DEVELOPMENT REVIEW SERVICES





WILSON, IHRIG & ASSOCIATES, INC.
ACOUSTICAL CONSULTANTS

EXHIBIT F

5776 BROADWAY
OAKLAND, CA
U.S.A. 94618
(510) 658-6719
(510) FAX 652-4441

19 January 1999

Mr. David Terwilliger
Larry's Tires Express
1650 Concord Avenue
Concord, CA 94520

Subject: Tire Shop Equipment Noise Mitigation Recommendations re:
Larry's Tires Express, Hayward, CA

Dear Mr. Terwilliger:

This letter outlines recommendations for the mitigation of noise produced primarily in the service area of the proposed Larry's Tires Express establishment at 22269 Mission Boulevard in Hayward, CA. Tire shop noise sources and residential receptors are discussed, and mitigation measures with alternatives are included.

The City of Hayward Noise Ordinance states that "it shall be unlawful for any person in the City of Hayward to cause, suffer, permit or allow the repeated or persistent emission of any noise or sound produce by any such person, or by mechanical means, within his possession, ownership or control, which by reason of its raucous nature shall disturb the peace and quiet of any person or persons in the City of Hayward." The Noise Ordinance also applies a "noise limitation" to persistent noises and construction noise by limiting noise levels to 6 dB above the local ambient level at any point outside the property plane. These noise sources are allowed to be produced only during the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday, and from 10:00 a.m. to 6 p.m. on Sundays and holidays.

The noise mitigation recommendations provided herein are presented with the Noise Ordinance in mind. It is assumed that Larry's Tires Express will operate only during typical daytime business hours in accordance with the Noise Ordinance. Note that community response to noise produced by operation of this business depends on the existing ambient noise environment, and the sensitivity to noise of individual neighbors which can vary greatly.

NOISE SOURCES AND RECEPTORS

It is our understanding that noise sources associated with the tire sales/installation establishment include (1) electric hoists to elevate automobiles for tire installation/removal, (2) a tire machine for installing tires on rims, (3) pneumatic impact wrenches and associated compressor for installing/removing wheel lug nuts, (4) a dynamic wheel balancer, and (5) the flow of traffic in and out of the site. Of these sources, it is expected that the impact wrenches will produce the highest noise levels.

Sound pressure levels produced by impact wrenches are generally in the range of 83 to 88 decibels

WILSON, HIRIC & ASSOCIATES, INC.

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Larry's Tires Express Noise Mitigation

A-weighted (dBA) as measured at a distance of 50 ft, as reported by manufacturers and published research literature. Measurements obtained by WIA verify these overall noise levels and show that the impact wrench noise includes significant sound energy in the high frequencies where the average human ear is most sensitive. Note that the A-weighting in the calculation of the overall sound pressure level approximates the response of the human ear by de-emphasizing low frequency noise and emphasizing the higher frequencies.

Nearby receptors *potentially* affected by noise from Larry's Tires include a two story wood frame lodging house located approximately 30 ft from the exit roll-up door opening on the south side of the tire shop, and single family homes on Pearce Street to the west of the site and on the east side of Mission Boulevard. A retail establishment also exists on the north side of building, but since it is constructed of concrete block and includes no windows facing the Larry's Tires building, noise from the tire shop is not expected to affect the neighboring establishment. However, sound transmitted through the north roll-up door may reflect off the nearby retail building, and be directed toward the receptors on the opposite side of Mission Boulevard. This reflected noise and any noise produced at the site will be masked by passing vehicles on Mission Boulevard.

The receptors most likely to be exposed to impact wrench noise will be occupants of rooms on the west side of the lodging house whose windows will be directly exposed to the exit door of the tire shop. Note that a direct line of sight may exist from parts of the Service area, through the exit door, to the rear of the lodging house. Maximum noise levels at the lodging house with the roll-up doors open may intermittently reach 70 to 75 dBA without mitigation.

Recommendations are provided to control the transmission of noise from tire shop activities to the nearby receptors. Some of the recommendations are general in nature, and we can work with the project architect to determine details and/or practical alternatives, if needed.

NOISE MITIGATION

For noise generated inside the Service area primarily by pneumatic wrenches, mitigation measures are presented with the intent to confine the noise to the interior of the shop and then absorb it. Note that the Showroom and Sales area, which include an acoustical tile ceiling should provide an adequate noise buffer for the east side of the building. It is recommended that the following measures be implemented at a minimum:

- Modify the building shell to provide adequate mass to prevent excessive transmission of noise through the walls. On the west and north walls around the Service area, frame out a new wall, and install on the interior a layer of 5/8" gypsum board, and a layer of 3/4" plywood. Insulate the stud space with fiberglass batts compatible with the depth of the airspace. Ideally, this new interior wall would extend the full height of the building since the upper half of the shell is constructed of relatively thin wood panel siding.
- Install a partition between the Service and Tire Storage areas to partially break up the sound transmission path between the Service area and the south exit door. As with the added wall on the shell, use minimum one layer of 5/8" gypsum board and one layer of 3/4" plywood on stud frame. Ideally, the partition would extend the full height of the building and include a "cut-out" for the driveway through the center of the building.

Maybe
do this
Along with
sprinkler
in South
This Area

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Larry's Tires Express Noise Mitigation

- Introduce sound absorbing materials. A recommended treatment is to cover at least 25% of the wall area with acoustical panels, and suspend acoustical baffles from the ceiling. Concentrate wall panels on the west wall and on the Service/Tire Storage partition. The acoustical wall panels should be at least 1" thick fiberglass with minimum lateral dimension of 4 feet (4' x 8' panels is a common standard size for many manufacturers). Maximize the effectiveness of the panels by spacing them off the wall on furring strips. A suggested product is Tectum™ acoustical panels (low cost).

Acoustical baffles (vertically suspended panels) are generally available in units 2' x 4' and are absorbent on both sides. Due to the large volume of the Service area, larger baffles (4' x 8') are recommended. These can be constructed inexpensively from plywood and fiberglass duct liner material, and added to the space as needed (verify that the roof structure can carry the load). Start with 9 or 10 large panels distributed across the ceiling area. Alternately, suspend the panels horizontally or provide an acoustical ceiling.

- Locate stationary equipment such as the compressor, tire machine, wheel balancer as far away from the roll-up doors as possible.

The above measures should be adequate to prevent noise intrusion for the residential receptors on Pearce Street and Mission Boulevard, and provide substantial noise attenuation for the nearby lodging house. The sound absorbing materials will also benefit employees working the Service area by reducing reverberation and noise levels. Supplemental mitigation recommendations are presented to provide additional noise attenuation, if deemed necessary.

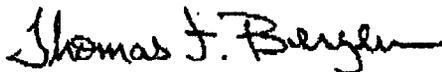
- Close the roll-up doors during periods of high-level activity.
- As an alternative to closing the doors, use portable acoustical barriers to temporarily (and partially) block the door openings. Smaller portable barriers could also be used in close proximity to tire installers using the impact wrenches, although some training in their proper use would be required.
- Construct enclosures or partial enclosures for stationary sources, if necessary.

* * *

Please call if you have questions or require additional information.

Very truly yours,

WILSON, IHRIG & ASSOCIATES, INC.



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