



CITY OF HAYWARD
AGENDA REPORT

Planning Commission
Meeting Date 09/28/00
Agenda Item 2

TO: Planning Commission

FROM: Arlyne J. Camire, Associate Planner

SUBJECT: Use Permit No. 00-160-07 – Contra Costa Bay Activities Center, Inc. (Applicant)/Bill Rasnick (Owner): Request to Allow a Vocational Training Center for Developmentally Disabled Adults - The Property Is Located at 22885 Amador Street, East Side, in a CO (Commercial Office) District and a RS (Single-Family Residential) District

RECOMMENDATION

It is recommended that the Planning Commission find that the project is categorically exempt from CEQA review, and approve the use permit application subject to the attached findings and conditions of approval.

DISCUSSION

Background

The applicant must relocate the Contra Costa Day Activities Center from its current location at 24915 O'Neil Street because its lease has expired and the owner intends to demolish the building and develop the site with an auto-related use. The Center's program is designed to provide services to individuals with varying degrees of developmental disabilities. Both jobs and vocational training are provided to individuals who have been identified by the Regional Center of the East Bay as being able to benefit from this service.

Setting

The 35,149-square-foot parcel is flat and triangular in shape. The site is developed with a 9,153-square foot commercial office building once occupied by the administrative offices of Select Foods and fronts both Amador and Mono Streets. The parking area is located to the south and to the west of the building and backs onto single-family residential parcels. Approximately half of the parking lot area is located in the Single-Family Residential (RS) District.

To the north and east are the facilities of Select Foods and American Drum that front on Amador Street in the Industrial (I) District. To the rear (south and west) of the property are single-family homes in the RS District.

Proposal

The Contra Costa Day Activities Center cares for and trains adults from the ages of 18 to 59 who have developmental disabilities of varying degrees. Depending on the degree of disability, a client may require just adult daycare or may learn a skill by participating in the job training programs. Catalogue companies) medical offices, business offices and retail companies contract for services that include light assembly of pre-manufactured products, packaging of products and mailings. In addition, janitorial and landscape maintenance are taught and performed on-site. Clients are shuttled in from various East Bay locations. Shuttle service is contracted from an independent transportation company. Shuttles will arrive at 9:00 a.m. and drop-off clients at a passenger loading area located adjacent to the front entrance or in the parking lot. The shuttles will arrive at 3:00 p.m. to return clients to their homes.

Site Improvements

The parking lot may need repair and restriping. A passenger-loading zone will be provided on Amador Street. The front and side yard and parking lot landscaping will be maintained by the vocational landscaping students. Additional parking lot trees will be required.

The front and side yards are surrounded by a 6-foot-high decorative metal fence at the property line. The yards are landscaped (although maintenance has been limited) and contain automatic irrigation systems. Staff recommends the removal of this fence since fences within front and side yard setbacks are not to exceed 4 feet in height. Without the fence, it will be easier to maintain the landscaping and, in staff's opinion, will provide a more attractive streetscape. However, the applicant feels that if the fence is removed, the building will be vandalized (Attachment D).

Furthermore, staff recommends that the wood-slatted chain link fence on the south side of the parking lot, which is adjacent to the rear yards of residences, be replaced with a 6-foot-high masonry wall. The intent of the wall is to mitigate traffic noise created by vehicles that would enter and exit the parking lot. This is consistent with the requirements of the Zoning Ordinance. However, the applicant feels that the wall is not necessary and that vines and a hedge can be used to buffer noise and that the shuttles can drop students at the curb on Amador Street and do not need to enter the parking lot. The parking lot will be used by 20 employee vehicles.

Vehicular Circulation/Emergency Access/Access for Persons with Disabilities/Traffic

Parking lot and emergency access is from Amador Street. A barricade at the terminus of Mono Street does not allow parking lot access. Parking lot access will be controlled by a gate, which will remain closed during business hours and locked during non-business hours. The required parking is based on the classification of "day care" which requires 1 parking space

for every 4 adults in addition to a drop-off area. There will be 70 students, requiring 18 parking spaces, plus 20 staff members. The parking lot located adjacent to the building in the CO District portion of the site has 38 parking spaces and can accommodate the needs of the proposed use. The rear portion of the parking lot, within the RS District, will not be used to provide parking for this project.

Staff received comments from surrounding neighborhood residents and property owners regarding concerns with traffic impacts. In staff's opinion, the number of trips that this use will generate will not have an impact on the adjacent residential neighborhood. Clearly this type of facility will have less of an impact than a conventional office, which is a primary use within the CO District. However, a condition of approval requires the installation of a directional sign on Santa Clara Street to direct vehicles onto Santa Clara Way, which ultimately becomes Amador Street. This should alleviate some neighborhood pass-through traffic.

General Plan, Zoning, Permitted Uses and Planning Issues

The General Plan Map designation for the property is Low-Density Residential and the zoning is CO and RS Districts; the building is located in the CO District and a portion of the parking lot is located in the RS District. Therefore, with the granting of a use permit, the use is consistent with the zoning districts and the General Plan designation. The property located to the north and east across Amador Street is designated Mixed Industrial and is located in the Expanded Redevelopment Project Area known as the Cannery Growth Management Change Area. Because of the potential for change within this area, the Redevelopment staff advises that the use permit have a five-year limitation. This is based on compatibility of the type of uses that may possibly locate in the adjacent Expanded Redevelopment Area and which may suggest a better use for this property.

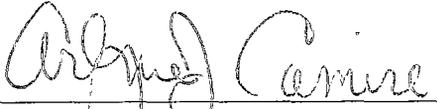
ENVIRONMENTAL REVIEW

The project is exempt from environmental review as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15301, *Existing Facilities*.

PUBLIC HEARING NOTICE

On September 18, 2000, a Notice of Public Hearing was mailed to every property owner and resident within 300 feet of the property as noted on the latest assessor's records.

Prepared by :



Arlynn J. Camire, AICP
Associate Planner

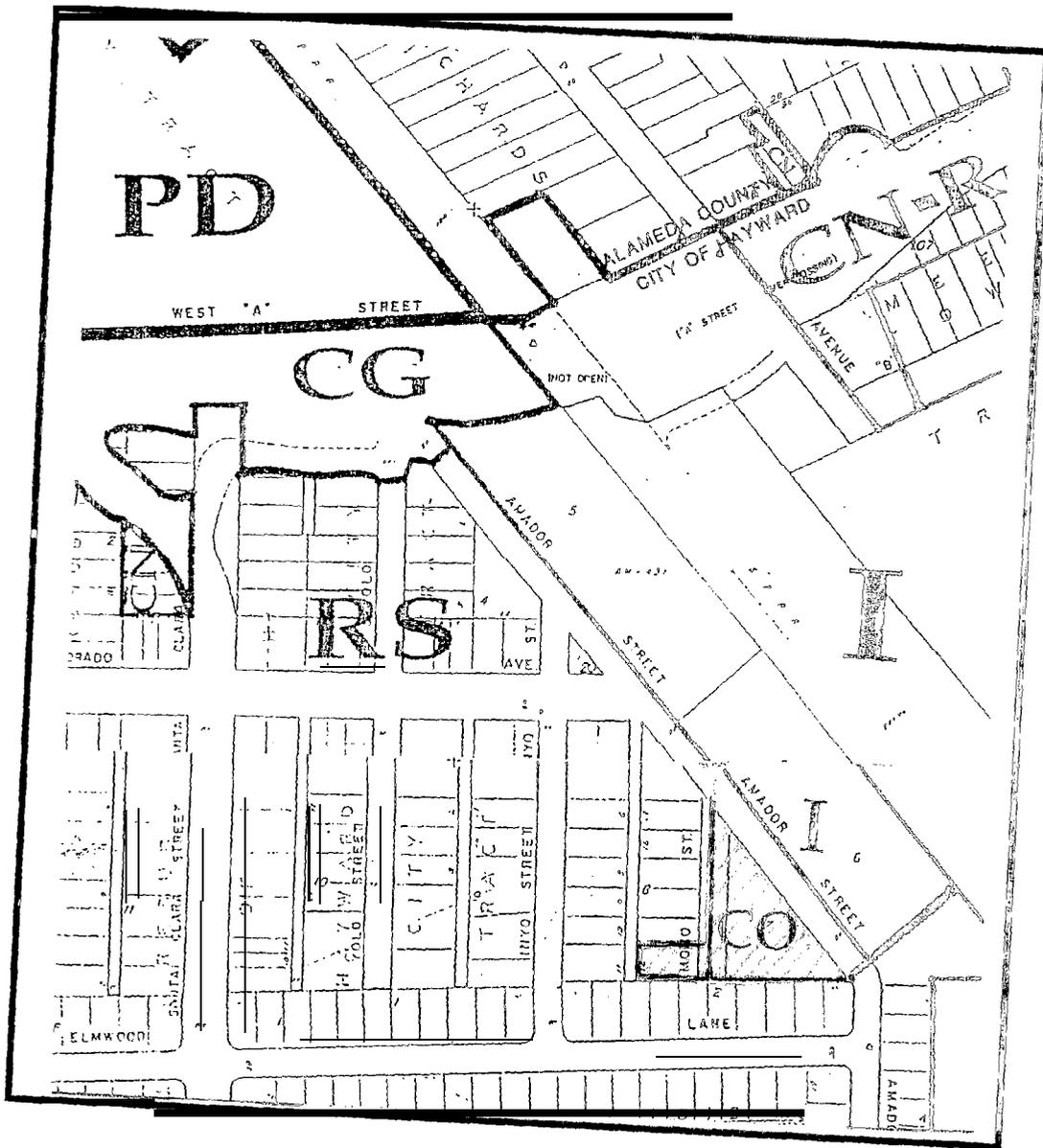
Recommended by :



Dyana Anderly, AICP
Planning Manager

Attachments :

- A. Area/Zoning Map
- B. Findings for Approval
- C. Conditions of Approval of Use Permit
- D. Proposal for Conditions of Approval received September 8, 2000
Development Plans



AREA/ZONING MAP
 Use Permit Application 00-160-07
 Contra Costa Day Activities
 Center,
 Inc. (Applicant)
 Bill Rasnick (Owner)
 22885 Amador Street

RS-Single Family Residential
 CN-Neighborhood Commercial
 CN-R-Neighborhood Commercial-
 Residential
 CO-Commercial Office
 CG-General Commercial
 I-Industrial
 PD-Planned Development

FINDINGS FOR APPROVAL

Use Permit Application No. 00-160-07

Five Year Approval

Contra Costa Day Activities Center, Inc. (Applicant)

Bill Rasnick (Owner)

22885 Amaclor Street.

1. That the Planning Commission find that the Categorical Exemption is complete and final in accordance with the California Environmental Quality Act Guidelines and reflects the independent judgment of the Planning Commission based on the fact that the project conforms to Section 15061(b)(3), (Review for Exemption) of the CEQA Guidelines.
2. That the Contra Costa Day Activities Center project as conditioned is desirable for the public convenience or welfare in that it serves and provides training to developmentally disabled adults between the ages of 18 to 59 who reside in Hayward and other East Bay communities.
3. That the Contra Costa Day Activities Center project as conditioned will not impair the character and integrity of the Commercial Office (CO) District and the abutting Single Family Residential (RS) District in that approval of the project will conform with the City's Minimum Design and Performance Standards for the CO District
4. 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 requirements for persons with disabilities, that the applicant will be required to conform with and install all the recommendations and 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;
5. That the project as conditioned will be in harmony with applicable City policies including the City's Design Guidelines and the Commercial Office Minimum Design and Performance Standards in that the applicant will maintain landscape setbacks, the required number of parking spaces and the applicant is required to install a masonry wall along the South side of the parking lot, adjacent to the residential properties.

ATTACHMENT B

CONDITIONS OF APPROVAL
Use Permit Application No, 00-160-07
Five Year Approval
Contra Costa Day Activities Center, Inc. (Applicant)
Bill Rasnick (Owner)
22885 Amador Street

General

1. Use Permit Application No. 00-160-07 is approved subject to the specific conditions listed below. This permit becomes void on September 28, 2001, unless prior to that time the building has been occupied by Contra Costa Day Activities Center, Inc., or a time extension is approved. A request for a one-year extension must be submitted to the Planning Division 15 days prior to the above date.
2. This use permit shall expire five (5) years from the effective date of approval. At that time, a new use permit application must be submitted for review. The City shall review the new application in light of current conditions within the Expanded Redevelopment Area. The Planning Commission shall make the final determination if the permit should be extended another five years or another period of time that is deemed appropriate.
3. The site, and its improvements, shall conform to the site plan labeled Exhibit "A" to the satisfaction of the Planning Director.
4. Violation of these conditions and the Hayward Municipal Code is cause for revocation of this Site Plan Review, subject to a public hearing before the duly authorized reviewing body.
5. Outdoor storage is not permitted.
6. Parking lots shall include one 15-gallon tree for every six parking stalls. Parking lot trees shall be planted in tree wells or landscape medians located within the parking area. Parking rows shall be capped with a landscaped median. All tree wells and medians shall be a minimum of 5' wide measured inside the curbs.
7. The applicant shall submit a detailed landscape and irrigation plan prepared by a licensed Landscape Architect for review and approval by the City Landscape Architect. Landscaping and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*.
8. The applicant shall submit a plan for a masonry wall to the Planning Director for review and approval. Such wall shall be installed along the property line between the

parking lot and the single-family residences and shall conform to the Zoning ordinance. The existing chain-link fence and all barbed wire shall be removed.

9. The 6-foot-high wrought-iron fence located at the property line in the front and side yards shall be removed.
10. The applicant shall submit an exterior lighting plan. Lighting shall be designed to reflect away from adjacent properties and shall provide a minimum of one candle foot at ground level during hours of darkness.
11. The applicant shall submit a revised parking plan that complies with the City of Hayward Off-Street Parking Regulations and meets Title 24 physically disabled parking requirements. The plan must also show a vehicle barrier between the side and the rear parking lots and the location of the trash enclosure.
12. An elevation of the trash enclosure shall be submitted to Planning Director prior to occupancy of the building.
13. All applicable requirements of the City's Security Ordinance shall be met.
14. Landscaping shall be maintained in a weed-free 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.
14. The property owner and/or occupant 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.
15. Prior to occupancy the applicant shall submit an on-site recycling plan to the City's Solid Waste Manager to be implemented prior to occupancy.
16. Fire Department Requirements:
 - a. Manual pull stations and audible devices shall be installed.
 - b. Exiting and exit lighting shall be self-illuminated and meet the California Building Code.
 - c. A State of California 850 Clearance Form is required to be submitted to the Fire Department for a final fire clearance.
 - d. The applicant shall provide a plan of escape and post it in approved locations. The plan shall be to the satisfaction of the Fire Marshall.
 - e. Vocational skills shall be in compliance with the Fire Code, i.e., no welding shall occur unless approved by the Fire Department, woodworking shops shall meet the Fire Code for compliance, spray painting and other regulated

operations shall be in compliance with the Fire Code and approved by the Fire Department.

- f. Fire extinguishers shall be provided within the building to the satisfaction of the Fire Marshall.

- 18. The on-site paving shall be repaired or replaced to the satisfaction of the City Engineer. The minimum thickness of asphalt concrete pavement shall be 3 inches and it shall be compacted to a relative compaction of not less than 95 percent.

Transportation and Engineering Requirements

- 19. Any damaged sidewalk and/or curb shall be repaired or replaced to the satisfaction of the City Engineer. Obtain encroachment permits prior to the commencement of any work to be done within the street right-of-way.
- 20. All catch basins shall be equipped with fossil filters or an equivalent device approved by the City Engineer.
- 21. The applicant shall install a directional sign that meets Caltrans standards on southbound Santa Clara Street before Santa Clara Way indicating that Santa Clara Way is to the left.



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**Proposal for Conditions of Approval
for Use Permit Application No. 00-160-07**

Contra Costa Day Activities Center, Inc. respectfully submits the following to the Hayward Planning Commission for review and consideration regarding the Conditions of Approval of a vocational training center on the premises of the property located at 22885 Amador Street, Hayward.

Contra Costa Day Activities Center, Inc. (herein after referred to as C.C.D.A.C.) is a nonprofit agency that has been providing a variety of vital services to adults with developmental disabilities in Oakland, Hayward, and Walnut Creek for almost ten years. C.C.D.A.C. is attempting to relocate its Hayward training center to a more modern, spacious site for the benefit of the individuals we serve. C.C.D.A.C. chose the property on Amador Street and entered into a five-year lease because of its proximity to a more "normalized" community environment and accessibility to public resources.

1. The most costly and invasive of the conditions is to install a masonry wall along the south side of the parking lot, which is adjacent to the rear yards of the residences. We sent out a survey to all of the neighbors who would be impacted by this site change and of the surveys returned, most neighbors were overwhelmingly in favor of adding hedges or climbing ivy instead of a masonry wall. In addition, most everyone agreed that the barbed wire at the top of the wood-slate chain link fence should be removed and that a natural substitute is planted.

While the zoning ordinance is intended to mitigate traffic noise, the aesthetic considerations of residents' backyards should also be of importance. Since there will be little, if any, traffic noise created by the few vehicles that enter and leave the site once per day, more weight should be given to the residents' desires and the overall landscape effects. Furthermore we believe that a masonry wall will provide an excellent "canvass" for the type of vandalism and graffiti that the neighbors, and we imagine the planning commission as well, does not want to encourage.

To alleviate the necessity for a masonry wall to be constructed along the South side off the parking lot, C.C.D.A.C. proposes that the shuttle service provided to the training site will drop off and pick up the trainees at the curb in front of the building and not enter into the parking lot. Only the vehicles of the employees and the agency will utilize the parking lot and will therefore mitigate traffic noise unusual for a general office site. C.C.D.A.C. agrees with the Landscape Department's comments to replace the barbed wire on top of the chainlink fence along the property line and replace it with climbing plants.

ATTACHMENT D



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2. The six-foot high brown, decorative **metal fence that surrounds the front and side yards** serves **as** an important vandalism and garbage-dumping deterrent. **The open-slat brown metal fence is very** attractive in comparison to the six-foot (and above) **chain-link** fences topped with barbed-Wire directly across the street

If the fence were to be removed, **vandalism** and dumping may be encouraged by the availability of the open space. Since our proposed **use will occur only between the hours of 8:30 a.m. and 4:30 p.m.**, Monday through Friday, the decorative fence serves **as protection** for the existing landscaping and discourages vandalism **and/or** property damage. **We believe that we would** be unable to adequately adhere to item # 17 [Conditions of Approval] if **this** fence were to be removed.

3. Since C.C.D.A.C. will not be using the site during hours of darkness and **will** not need the existing parking lot lighting, the parking lot lights **will continue** to be disabled and not used based upon the agency's intended use. However, if the city has **regulations that require us to utilize the** lights, we **will** explore this further.

4. C.C.D.A.C. will provide to the **Hayward** Planning Commission an off-street **parking plan** that meets the Title 24 physically disabled parking requirements and **will** show a barrier between the side and rear parking Sots.

5. It is our understanding that C.C.D.A.C. has **already** met **all** of the Fire Department requirements based upon previous inspections with the Fire **Marshall**.

6. **C.C.D.A.C.** will work with the City Engineer to address the on-site parking Sot **repair** needs.

7. **C.C.D.A.C.** will discuss with the City Engineer the need for repair or **replacement of** damaged **sidewalk** and/or curbs that are the **responsibility** of the tenant and property owner.

8. C.C.D.A.C. will ensure that all catch basins **will** be equipped with fossil **filters** or an **equivalent** device.

9. C.C.D.A.C. will submit an on-site recycling plan to the **City's Solid Waste** Manager prior to occupancy

10. C.C.D.A.C. will submit a trash enclosure **elevation** to the Director of Community and Economic **Development/Planning**.



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11. C.C.D.A.C. will hire a landscaping crew to maintain the existing landscaping and irrigation and replace plants where necessary*

Lastly, we would like to propose that we be granted a conditional use permit so that we may continue with the Community Care Licensure process and that the other conditions of approval be met over an agreed upon period of time. Since one of the functions of our work training center is to provide landscape and janitorial service most of these conditions could be met with our personnel and provide income to persons with disabilities. Where there is a need for licensed or professional services, we would certainly utilize the services of others. The essence of this consideration, however, is to allow us some time to meet these conditions and utilize as much of our resources as possible.

Thank you for your consideration of this proposal and I look forward to any comments or needed points of clarification regarding this matter.

Sincerely,

Timothy C. Spooner
Contra Costa Day Activities Center, Inc.