

**CITY OF HAYWARD PLANNING COMMISSION
CONDITIONAL USE PERMIT APPLICATION NO. UP-25-0007
ENTERPRISE CAR RENTAL - 1045 C STREET
DRAFT FINDINGS FOR APPROVAL**

CONDITIONAL USE PERMIT FINDINGS

In accordance with Hayward Municipal Code Section 10-1.3225 in order for a use permit to be approved, the Planning Commission may approve or conditionally approve upon making all the following findings:

A. The proposed use is desirable for the public convenience or welfare;

The proposed automobile rental establishment would be desirable for the public convenience and welfare in that it would result in establishment of an automobile rental business in a vacant and underutilized commercial building within the Downtown area. Currently, there are no automobile rental businesses in Downtown Hayward. Thus, the proposed establishment will provide residents with a convenient location to obtain car rental services any day of the week, with operating hours from 7:00 AM to 6:00 PM on weekdays and 8:00 AM to 2:00 PM on weekends. Additionally, establishment of an automobile rental establishment in this location could attract regional customers, encouraging them to patronize surrounding businesses and restaurants.

B. The proposed use will not impair the character and integrity of the zoning district and surrounding area;

The proposed automobile rental establishment will not impair the character and integrity of the Downtown Main Street (DT-MS) zoning district and surrounding area as it would occupy an existing building that has been vacant and underutilized for years. The lack of basic maintenance and investment in the site has resulted in a negative visual impact on the surrounding neighborhood. Occupancy of the vacant structure and the proposed façade and site improvements would signal increased investment in the Downtown area. Further, establishment of an automobile rental use in the vacant building would activate the site, possibly resulting in increased pedestrian traffic, and more eyes on the streets, leading to a positive impact on the adjacent properties and the Downtown neighborhood.

C. The proposed use will not be detrimental to the public health, safety, or general welfare;

As conditioned, the proposed automobile rental establishment will not be detrimental to the public health, safety, and general welfare as the proposed use will be required to conform to accessibility requirements and all other applicable regulations as set forth in the California Building Code (CBC) and the California Fire Code (CFC). Additionally, the establishment will only hand wash rental vehicles within the enclosed washing pad using non-dangerous chemicals and is prohibited from performing vehicle detailing, painting, or repairs on site.

D. The proposed use is in harmony with applicable City policies and the intent and purpose of the zoning district involved;

The proposed use is consistent with the *Hayward 2040 General Plan* in that would result in the establishment of a service use within an existing commercial building where retail, dining and service uses are allowed in the Retail and Office Commercial (ROC) land use designation. Furthermore, the project is also consistent with the following General Plan policies:

- The City shall encourage the establishment and expansion of commercial businesses that increase local spending within Hayward and provide needed goods and services to local residents and businesses (Economic Development Policy ED -1.11).
- The City shall encourage property owners to revitalize or redevelop abandoned, obsolete, or underutilized properties to accommodate growth (Land Use Policy LU-1.4).
- The City shall encourage the integration of a variety of compatible land uses into new and established neighborhoods to provide residents with convenient access to goods, services, parks and recreation, and other community amenities (Land Use Policy LU-1.6).
- The City shall encourage the development of neighborhood amenities and complimentary uses in central locations of the neighborhood whenever feasible (Land Use Policy LU-3.2).

SITE PLAN REVIEW FINDINGS

In accordance with Hayward Municipal Code Section 10-1.3025, the Planning Commission may approve or conditionally approve a Site Plan Review application upon making all the following findings:

A. The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City;

The proposed development will be compatible with the surrounding structures and uses in that the project includes tenant improvements for an automotive rental facility and involves numerous site improvements, including the development of a 744 square-foot accessory structure towards the rear of the property.

Exterior improvements include repainting the building, replacing broken storefront windows, restriping the parking lot, and new landscaping. The exterior remodel will create a more contemporary, modern aesthetic that will enhance downtown, which will ensure that this is an attractive addition to the City.

B. The development takes into consideration physical and environmental constraints;

The proposed development takes into consideration the physical and environmental constraints of the existing site. Topographically, the project site is flat, and the proposed

project will require little to no grading, which minimizes potential negative adverse impacts to the adjacent properties.

C. The development complies with the intent of City development policies and regulations;

As previously noted, the proposed project complies with all applicable City development policies contained within the *Hayward 2040 General Plan* and the Hayward Municipal Code. The proposed development and associated improvements comply with all development standards of the DT-MS zoning district and is consistent with the following General Plan policies:

- The City shall encourage the establishment and expansion of commercial businesses that increase local spending within Hayward and provide needed goods and services to local residents and businesses (Economic Development Policy ED -1.11).
- The City shall encourage property owners to revitalize or redevelop abandoned, obsolete, or underutilized properties to accommodate growth (Land Use Policy LU-1.4).
- The City shall encourage the integration of a variety of compatible land uses into new and established neighborhoods to provide residents with convenient access to goods, services, parks and recreation, and other community amenities (Land Use Policy LU-1.6).
- The City shall encourage the development of neighborhood amenities and complimentary uses in central locations of the neighborhood whenever feasible (Land Use Policy LU-3.2).

D. The development will be operated in a manner determined to be acceptable and compatible with surrounding development;

As conditioned, the proposed project will be compatible with the surrounding commercial development. The project will be subject to all applicable provisions of the Hayward Municipal Code including site-specific conditions related to construction, maintenance, etc. Furthermore, the proposed project will undergo a technical plan check review process which will ensure that the proposed project complies with the applicable codes and standards of the California Building Code (CBC), California Fire Code (CFC), and the Hayward Municipal Code with respect to water, sewer, life/safety, construction debris, and construction activity regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDING:

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1), Existing Facilities, in that project involves the use of an existing commercial structure with minor interior and exterior alternations and the construction of a small, detached accessory structure for the washing of rental vehicles.