

**CITY OF HAYWARD PLANNING COMMISSION  
PROPOSED MAJOR AUTOMOBILE REPAIR USE  
LOCATED AT 629 JEFFERSON STREET  
CONDITIONAL USE PERMIT APPLICATION NO. 202002682**

**DRAFT FINDINGS FOR APPROVAL**

**CONDITIONAL USE PERMIT**

Per Section 10-1.3225 of the Hayward Municipal Code, the Planning Commission or other approving authority may approve or conditionally approve an application when all the following findings are made:

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

The proposed major automobile repair use at the project site is desirable for the public convenience in that it is identified as a supporting use in the Sustainable Mixed Use land use designation of the *Hayward 2040 General Plan*. The project site is located close to Mission Boulevard and by virtue of its location the service provided by the proposed use will be readily accessible to the facility's customers.

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

As conditioned, the proposed project will not impair the character and integrity of the zoning district and surrounding area. Surrounding sites, including automobile repair facilities, contain some landscaping. The project site is zoned MB-CN, Mission Boulevard – Neighborhood Commercial, and major automotive repair uses are allowed with the issuance of a Conditional Use Permit. Additionally, the draft conditions of approval will require landscaping be added to the existing site, which would establish compatibility with the surrounding development, and be consistent with the original conditions approved as part of Use Permit 77-90. Additionally, all parking or temporary vehicle storage on site would be separated from surrounding uses, including the single-family residential uses to the southwest, by a solid, 6-foot wood fence to mitigate any visual impacts from adjacent properties. Conditions of Approval have also been attached to this project to ensure that the operators of the proposed automobile repair facility do not generate an excessive amount of waste and debris within the parking lot areas or within the public right-of-way (e.g. sidewalk, streets, gutters). Business employees will be required to collect and properly dispose of trash that are found within 50-feet of the business boundaries.

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

As conditioned, the proposed major automobile repair use will not be detrimental to the public health, safety, or general welfare in that the new improvements proposed to support the use would be required to comply with the current standards of the MB-CN zoning district, applicable to the project site. A Condition of Approval requires that the security fence in

support of the proposed project be brought in compliance with the applicable provisions of the Hayward Municipal Code through a Site Plan Review.

Additionally, the analysis incorporated in a Noise Study titled “629 Jefferson Street, Noise Study”, dated October 2020, prepared by Rincon Consultants, Inc., for the project indicates that noise levels from the operations of the project, would not exceed noise levels established by the Hayward Municipal Code as acceptable at the property boundaries during the operational hours of the facility. As indicated by the applicant, the operational hours of the facility would be 9:00 am. To 5.00 pm. Monday-Friday, which have been so specified through a Condition of Approval as the operating hours of the facility. Repair and other permitted activity on the automobiles would be conducted within the interiors of the buildings on the site.

As conditioned, the owner/property manager will be required to maintain the property and its frontage litter free that would foster a clean environment for customers, businesses and residents in the area. This requirement has been incorporated as a Condition of Approval.

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

The proposed major automobile repair use would be in harmony with the applicable City policies and the intent of the MB-CN zoning district and the Mission Boulevard Code in that it would be consistent with the mixed-use neighborhood environment characterized by single-family, multi-family and commercial development. As conditioned, the proposed use would be compatible with the surrounding neighborhood and other automotive uses in the project vicinity. The proposed major automotive repair use is located on a site that formerly accommodated a similar use and is currently vacant. Establishment of the proposed project would be consistent with the following policies of the *Hayward 2040 General Plan*:

- Land Use Policy LU-1.4 – Revitalization and Redevelopment. The City shall encourage property owners to revitalize or redevelop abandoned, obsolete, or underutilized properties to accommodate growth.
- Economic Development Policy ED-1.3 - Commercial and Industrial Development. The City shall encourage commercial and industrial development by ensuring the availability of suitable sites for development and providing appropriate zoning.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The proposed project is deemed categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities, in that the proposed major automobile repair use as proposed by the project would be accommodated within an existing facility on site and would involve negligible or no expansion of the site’s former use. As such, no additional environmental analysis is required.