

**RECOMMENDED
FINDINGS OF FACT**

PLN2016-0032

1251 Doolittle Drive (southwest corner of Doolittle Drive and Davis Street)

R. Williams, Chemical Strategies, Inc. (applicant)

C. Lutz, Balco Properties, LTD. LLC (property owner)

The Board of Zoning Adjustments hereby approves the Conditional Use Permit and Categorical Exemption from CEQA for the proposed warehouse and distribution of hazardous chemicals at 1251 Doolittle Drive, subject to the following findings:

Conditional Use Permit Findings

- 1. That the proposed location of the use is in accord with the objectives of this Code and the purposes of the district in which the site is located.**

The warehouse and distribution of chemicals from 1251 Doolittle Drive, which includes distribution of hazardous chemicals, occur inside the existing building. The hours of operation would be weekdays from 5:00 a.m. to 5:00 p.m. There will be adequate access on Doolittle Drive and Davis Street and adequate onsite circulation, loading and off-street parking on the property to serve the proposed use and the two existing uses which are a recycler and building materials and services (stone distribution). Recommended Conditions of approval includes full compliance with Building and Fire Code requirements for H (Hazardous) Occupancies inside the building, and registering a Hazardous Materials Business Plan (HMBP) with the City's Environmental Services Division for required monitoring of the business operations, and specific chemicals and quantities on the property. The distribution of hazardous chemicals is a use which is permitted in the IG Industrial General District subject to conditional use approval. With implementation of recommended conditions of approval, the use should have no impact on adjacent properties or persons. The use will be compatible to the area.

- 2. That the proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.**

This Conditional Use Permit application for the distribution of hazardous chemicals will achieve the following General Plan Policies:

- A. **Industrial Assets.** Build on the strengths of the City's existing industrial base, transportation infrastructure, and proximity to Oakland International Airport in the City's business development efforts. (General Plan Policy 7.01)
- B. **Adaptive Reuse.** Encourage private reinvestment in vacant or underutilized industrial and commercial real estate to adapt such property to changing economic needs, including the creation of flex/office space. (General Plan Policy 7.06)

- C. **Reuse of Older Buildings.** Support the reuse of underused, vacant or obsolete industrial buildings with the goals and policies of the General Plan. (General Plan Policy 10.01)
- D. **Promoting Quality Design.** Use the development review and permitting processes to promote high quality architecture and site design. Design review guidelines and zoning standards should ensure that the mass and scale of new structures are compatible with adjacent structures. (General Plan Policy 43.01)
- E. **Commercial and Industrial Standards.** Improve the visual appearance of the City's commercial and industrial areas by applying high standards of architectural design and landscaping for new commercial and industrial development and the re-use or remodeling of existing commercial and industrial buildings. (General Plan Policy 43.07)
- F. **Greening San Leandro.** Promote landscaping, tree planting, and tree preservation along San Leandro streets as a means of improving aesthetics, making neighborhoods more pedestrian-friendly, providing environmental benefits, and creating or maintaining a parklike setting. (General Plan Policy 44.01)
- G. **Street Beautification.** Upgrade the City's commercial thoroughfares by building upon their existing strengths and improving their aesthetic qualities. The City should implement programs to underground utilities, abate weeds and graffiti, eliminate litter, improve buffers to adjacent residential uses, prohibit excessive or out-of-scale signage, remove billboards, and provide streetscape amenities and landscaping along these thoroughfares. (General Plan Policy 44.05)

The reuse of the building would involve investment by the applicant and prevent the warehouse from remaining vacant and unused. The recommended conditions of approval for maintaining the windows along the Davis Street facing façade, planting new street trees along the existing Davis Street landscaped setback, replacing the existing chainlink fence with new architectural/decorative fencing along the Davis Street frontage and providing new landscaped planters to the extent possible without significant variation to existing vehicle circulation and parking on the property, repainting the entire building, and repairing and restriping the parking lot would improve the appearance of the property and the immediate area. The recommended conditions of approval for strict compliance to the Building and Fire Codes for H Occupancies and registering with the City's Environmental Services Division for regular monitoring by the City and the State of California EPA would ensure that the use will not be detrimental to the public health, safety or welfare of persons working in or adjacent to the area. Off-street parking will be provided and is adequate so the use of the property should not spill-over on to adjacent properties.

3. That the proposed use will comply with the provisions of this Code, including any specific condition required for the proposed use in the district in which it would be located.

The proposed use is warehouse and distribution of chemicals, which includes distribution of hazardous chemicals, within an existing building. The use will comply with the provisions of the Code in the IG District as there will be no significant physical change to the site and the building. The setbacks and landscaped areas will be maintained. There will be no enlargement or expansion of the building footprint or building height. The off-street parking will exceed the number

required for the three businesses that will use the site. Thus the project will be in compliance to the IG District's setback, coverage, height and off-street parking requirements. The business operations have normal business hours during the day and early closing hours in the afternoon and will be conducted entirely inside the building. Recommended conditions of approval upgrading the building to the required Building and Fire Codes, registering with the City's Environmental Services Division, upgrading the Davis Street frontage with street trees and replacement of the chainlink fencing with architectural/decorative fencing will ensure the use will be compatible with the existing industrial neighborhood.

4. That the proposed use will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

The area is served with adequate street improvements for access to the property and the property will have adequate off-street parking, loading and circulation. The operation of warehouse and distribution of hazardous chemicals on the industrial property will not create an adverse impact on traffic or parking supply in the area.

California Environmental Quality Act Categorical Exemption Findings

This project is categorically exempt from environmental review under the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines, because it consists of operation of a use within an existing private structure that involves negligible expansion of use.