

**RECOMMENDED
FINDINGS OF FACT**

**PLN17-0005
2000 Marina Boulevard
T. Goodwin, HPA, Inc., (Applicant)
M. Johnson, Overton Moore Properties, (Property Owner)**

The Board of Zoning Adjustments hereby approves PLN17-0005, subject to the following findings:

CONDITIONAL USE PERMIT

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

The proposed location, being zoned IT Industrial Transition District, will result in development of an industrial business park in an existing industrial part of the city. The proposed uses for the project are permitted or conditionally permitted uses that comply with the purpose of the IT Industrial Transition District, which is to provide and protect industrial lands for the development of emerging technologies, artisanal production, and light manufacturing methods, while preserving existing businesses and allowing additional commercial uses under specified limitation. The project includes a large unobstructed space in the building with 32 feet high clear height to conveniently accommodate advanced manufacturing or other value-added businesses.

- 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.**

The proposed location of the use and the conditions of how the new development will be operated are consistent with the City's stated goals and policies related to Innovation in the Land Use section and the Economic Development section listed in the General Plan. The following are the specific General Plan goals and policies found applicable to the proposed project:

Land Use Section - Innovation Districts

Goal LU-7: Sustain dynamic innovation districts which place San Leandro on the leading edge of the Bay Area's manufacturing and technology economy.

Policies:

LU-7.1 Leveraging Locational Assets. Build on the locational strengths and transportation features of San Leandro's industrial area to support the area's continued development as a major advanced manufacturing, technology, and office employment center.

LU-7.2 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 and space for technology-driven businesses.

LU-7.3 Zoning Flexibility. Ensure that industrial zoning regulations are flexible enough to achieve the vision of San Leandro’s industrial area as an “innovation ecosystem”, where new methods of production, operations, and design are supported.

LU-7.8 Sense of Place. Create a stronger sense of place and a more positive regional image in the industrial districts through improved site planning, landscaping, architecture, façade improvements, fencing and screening, and design, as well as investments in streetscape improvements.

Economic Development Section

GOAL ED-1 Attract jobs and investment across all economic sectors.

Policies:

ED-1.1 Leveraging San Leandro’s Assets. Build on San Leandro’s strengths, including its central location, transportation infrastructure, affordability, industrial land supply, and business-friendly reputation to leverage economic growth and private investment in the city.

ED-1.2 Maintaining San Leandro’s Competitive Advantage. Maintain and protect San Leandro’s inventory of largescale industrial sites and buildings with easy access to freeways, rail, airports, and seaports. Discourage the conversion of industrial uses to commercial and residential uses except where part of a carefully targeted citywide strategy.

ED-1.3 Industrial Land Use Efficiency. Encourage more efficient use of the City’s industrial land supply, creating higher employment densities and high quality jobs, while discouraging the use of large sites and buildings for storage and other low intensity uses. Ensure that zoning and other development regulations support higher utilization of sites zoned for commercial and industrial activities.

GOAL ED-3 Adapt, reimagine, and reinvent traditional business models to put San Leandro on the leading edge of the innovation economy.

Policies:

ED-3.1 Innovation Ecosystem. Foster the creation of an “innovation ecosystem” in San Leandro’s employment districts, where businesses collaborate with one another to improve their products, workplace performance, and the quality of the work environment.

ED-3.2 Business Infrastructure. Develop the infrastructure necessary to transform San Leandro into a center for innovation and creativity, including high-speed communications, sustainable energy systems, high performing utilities, and convenient access to business networks and support services.

ED-3.3 Leading Edge Economic Sectors. Continue efforts to attract businesses on the leading edge of the Bay Area economy, including advanced fabrication, clean tech, information services, advanced transportation, and maker businesses.

The project would provide San Leandro greater opportunities to expand or locate new manufacturing and technology businesses. The new development will be improved with adequate

access and off-street parking. The proposed parking supply of up to 294 parking spaces exceeds the 250 required spaces. The subject property is situated in the center of an existing industrial area where the new development should have no effect on residences, open space, or other zoning districts. The development will result in an improvement to the appearance of the property with the removal of the existing structures on the property and the subsequent redevelopment of the property with a new industrial business park that includes new landscaped setback and the presence of a new two-story building. A Phase I Environmental Assessment was performed for the project site, with only minimal contaminations found, all of which are addressed in the conditions of approval and/or through the permit process. Any asbestos containing building materials and lead-based paint contained in existing buildings will be properly remediated and disposed of prior to the demolition of the buildings. If hazardous materials are encountered during construction or accidentally released as a result of construction activities, the contractor is required to implement the best management practices (BMPs) such as to cease work within the area; identify the scope and immediacy of the problem; coordinate with responsible agencies (e.g., City Environmental Services, Department of Toxic Substances Control, San Francisco Bay Regional Water Quality Control Board, or Environmental Protection Agency); and conduct the necessary investigation and remediation activities to resolve the situation before continuing construction work. The new business park has been designed, and will be constructed and equipped to provide an adequate level of safety and security for the future occupants. The site will be adequately served with public services, including utilities, and public transportation. Based on these findings, the proposed project will not be detrimental to the public health, safety or welfare.

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 Zoning Code provides that the IT District permits various emerging technologies, artisanal production, and light manufacturing. The IT District conditionally permits warehouse and distribution uses which tend to have low employment density per square foot. The proposed use of the property will be new technologies, advanced manufacturing, “maker” industries, and warehouse-storage facilities, warehouse-wholesale/retail distribution facilities; vehicle/equipment repair, general; vehicle/equipment repair, limited; and vehicle/heavy equipment rentals on the subject property. Any other conditionally permitted uses shall require prior approval of amended Conditional Use Permit, as identified in the San Leandro Zoning Code. In addition, parking adequacy will be evaluated prior to the City’s issuance of a Business License and/or Administrative Review approval. Additional parking and/or alternative parking options may be required by the Zoning Enforcement Official to compensate for parking deficiencies prior to issuance of a City Business License or Administrative Review approval. These options may include, but are not limited to, the provision of expanded employee shuttle services to BART, parking shelf systems, or the redesign of existing parking and loading areas in order to ensure the property has adequate parking

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.

As part of the requirement for the environmental analysis, a traffic report was prepared for the developer by Kittleson & Associates Transportation Engineers. That report concluded that with the addition of project-generated traffic, all study intersections would continue to operate within the standard or would experience less than a 0.05 change in volume-to-capacity ratios between

cumulative and cumulative plus project conditions. The project would only incrementally increase traffic under cumulative conditions; therefore, the impact would be less than significant. The project has been conditioned to require that the developer pay his fair share towards signal control system upgrade. No further analysis is needed as the project would be consistent with the City's General Plan EIR. There is adequate public service to the proposed development, including but not limited to; the gas and electric company, the water district, waste disposal, sanitary sewer, storm sewer, and police and fire departments. The project has been appropriately conditioned to ensure that parking and circulation are monitored by the City with each new tenant.

SITE PLAN REVIEW

- 1. Site plan elements (such as but not limited to: building placement, yard setbacks, size and location of landscape areas, parking facilities and placement of service areas) are in compliance with the minimum requirements of this code, and are arranged as to achieve the intent of such requirements by providing a harmonious and orderly development that is compatible with its surroundings. Parking, loading, storage and service areas are appropriately screened by building placement, orientation walls and/or landscaping.**

The layout of the proposed 297,200 square foot building shown on the site plan is in conformance with the underlying IT Industrial Transition District. The proposed setbacks, site coverage, height of the building, landscaped areas, vehicle circulation and parking, are in conformance with the Zoning Code. The placement of the building, driveways, and parking areas provide for a harmonious and orderly development that maintains an expansive setback from the Marina Boulevard frontage. The area to the north of the building would be exclusively used for accessing the warehouse building by tractor trucks and includes 47 dock high loading doors for trailers.

The site planning and the architecture place the truck loading docks and truck activity on the north side of the building, to provide the architectural attention and aesthetic features to the south elevation facing the highly traveled and prominent Marina Boulevard corridor.

- 2. The building has adequate articulation, with appropriate window placement, use of detailing and/or changes in building planes to provide visual interest. The exterior materials, finishes, detailing and colors are compatible with those of surrounding structures. Visually incompatible elements, such as roof mounted utilities, are fully screened from public view.**

The building design is articulated. The prominent south elevation that faces Marina Boulevard will be appointed with various features that lessen its expansive appearance. The use of the color scheme, the two-story glazing, clerestory windows, metal siding, canopies, and the vertical architectural features especially at the corners and the middle of the building mitigates the could be an expansive and massive appearing elevation. The design is a geometric and modern design that blends in and also complements the existing immediate industrial area along Marina Boulevard. All roof-mounted equipment has been conditioned to be screened if the parapet is not adequate.

3. **The landscaping complements the architectural design, with an appropriate balance of trees, shrubs and living ground covers, and provides adequate screening and shading of parking lots and/or driveways.**

Even after a 10 feet dedication and widening of Marina Boulevard, there will be a landscaped setback of 24.5 feet which is greater than the 10 foot minimum requirement, along the Marina Boulevard frontage. In addition, there will be three rows of trees in the overall front setback of the project. This will complement and soften the 800 foot long, 40 foot tall, two-story, elevation facing the Marina Boulevard corridor. In addition, the landscape plan would complement the City's efforts in enhancing the streetscape in this westerly direction that leads to the City's shoreline area. The new landscaped areas 7.4 percent of the site area that will be developed and exceeds the 5 percent minimum required. The conditions of approval will require that the tree planting be specimen size with a minimum of 24 inch box.

4. **Detail features, such as signs, fences and lighting for buildings, parking lots and/or driveways are visually consistent with the architectural and landscape design, and minimize off-site glare.**

A sign program has been conditioned for future submittal to ensure signs are of good aesthetic and high quality in appearance, to match or blend in with the new architecture of the building. On-site exterior lighting has been conditioned to review their location, height, decorative features, and construction details. No site lighting will be permitted to spill offsite or shine above the horizontal plane. The design and materials used for the trash enclosure will be required to be blend in and be compatible with the proposed new building.

CEQA ENVIRONMENTAL REVIEW

A Consistency Memorandum has been prepared that documents: Pursuant to CEQA Guidelines Section 15168(c)(4), the City used a written checklist to determine whether the environmental effects of the project's site-specific operations were evaluated in the General Plan EIR. Pursuant to CEQA Guidelines Section 15168(c)(2), the City evaluated whether further environmental review was required per the provisions of Section 15162(a). The City considered various technical studies prepared by environmental consultants hired by the City and the applicant (including an Air Quality/GHG Report, Geotechnical Investigation, Phase I report, and Traffic Impact Study). The proposed project would be consistent with the assumptions for the project site as presented in the City's General Plan and Zoning Code, and the project would not result in any new significant impacts or increase the severity of any significant impacts identified in the General Plan EIR. Therefore, no further environmental analysis is required.