

**RECOMMENDED
CONDITIONS OF APPROVAL**

PLN17-0035

1471 Doolittle Drive

P. Tuckerman, Diesel Emissions Service DES (applicant)

S. Gitlin, PSB Northern California Industrial Portfolio, LLC (property owner)

I. COMPLIANCE WITH APPROVED PLANS

- A. The applicant and/or property owner shall comply with Exhibits A and B, attached to the staff report dated October 5, 2017, except as hereinafter modified. Exhibits are on file at the City of San Leandro Community Development Department, 835 East 14th Street, San Leandro, California.

Exhibit A – Site Plan

Exhibit B – Floor Plan

- B. The applicant and/or property owner shall be responsible for assuring that any successor in interest who assumes responsibility for the zoning approval is informed of its terms and conditions.

II. PERMITTED USES

- A. This is a conditional use approval to allow for a Corporation Yard; Vehicle\Equipment Repair, General, Vehicle\Equipment Repair, Limited inside an existing 8,245 square-foot warehouse portion of a building, and outdoor Vehicle Storage at 1471 Doolittle Drive; Alameda County Assessor's Parcel Number 79A-515-8.
- B. Any change or additional occupancy shall be submitted in writing and if deemed minor in nature may be approved by the Community Development Director. A change or additional occupancy deemed major shall be referred to the Board of Zoning Adjustments for its consideration as a modification to the existing use permit.
- C. The interior use of the building shall remain in substantial compliance with the approved plans and exhibits. Any change to project design shall be submitted in writing and subject to the review and approval of the Community Development Director who may administratively approve or require review by the Board of Zoning Adjustments as a modification to the Conditional Use Permit.
- D. The days and hours of operation shall be restricted to 8:00 a.m. to 6:00 p.m. Monday through Saturday; and closed on Sunday. Any modification to the days and hours shall be submitted in writing and subject to the review and approval of the Community Development Director.

III. PLAN SUBMITTAL FOR PROJECT SITE IMPROVEMENTS

- A. A landscape plan shall be submitted for review and approval to the Community Development Department within 30 days of this approval and shall be installed within 60 days of this approval to the satisfaction of the Community Development Director.

The plan shall include the landscape planter adjacent to the southernmost driveway fronting Doolittle Drive. Landscaping materials and placement of the landscape are subject to staff approval. Said landscaping materials shall include shrubs with a minimum size of five-gallons and ground cover shall have a minimum size of one-gallon or if the ground cover used is from flats, they shall have a spacing to cover the planter in one season of growth.

IV. MAINTENANCE

- A. The use permit conditions of approval shall be made accessible to all employees on the property.
- B. No automotive, truck or vehicle repair, maintenance, or servicing work shall be conducted outside the building.
- C. No "For Sale" signs shall be placed on the vehicles stored outdoors on the property. At no time shall vehicles be displayed for rent or sale on the street. No sales of vehicles are permitted from the site.
- D. No wrecked vehicles or engines, discarded auto/truck parts, or any auto/truck parts shall be stored outside the building on the property.
- E. All vehicle parking on the site shall be undertaken in a neat and orderly manner at all times.
- F. Employees and customers shall be instructed by the applicant and/or property owner to park in the internal parking area and not to park on the street in front of nearby businesses.
- G. Any graffiti shall be promptly removed from the property.
- H. The project site shall be well maintained and shall be kept free of litter, debris and weeds at all times.
- I. All landscaping shall be maintained in a healthy and growing condition at all times. Any damaged or dead plant material shall be promptly replaced with a plant material similar in type and comparable in size to the plant(s) being removed.
- J. The entire site shall be kept free of litter accumulations, including removal of litter, which collects against fences or the building or the landscaped areas facing Doolittle Drive.
- K. There shall be no razor wire installed on the fencing or on the property.
- L. The perimeter fencing shall be structurally sound and well maintained at all times. Any damage to the fencing shall be promptly replaced or repaired.
- M. All dumpsters or trash containers shall be kept in the trash enclosures located on the property at all times except for the day(s) the collection company is scheduled for pick-

up. Immediately after pick-up all dumpsters or trash containers shall be returned to the trash enclosure, out of public view.

V. ENVIRONMENTAL SERVICES REQUIREMENTS

- A. Hazardous waste generated on site shall be handled and disposed pursuant to applicable local, state and federal law. Generators of hazardous waste must register with the City's Environmental Services, which is the Certified Unified Program Agency (CUPA), by submitting the Facility Information element in the California Environmental Reporting System (CERS) online database at <http://cers.calepa.ca.gov/>.
- B. The elimination of outdoor exposure of materials, processes, or equipment to the maximum extent practicable is necessary to prevent contamination of rainwater. Exposures that cannot be eliminated require use of Best Management Practices (BMPs), both engineered and administrative, to prevent any exposure from impacting rainwater runoff.

VI. ENGINEERING AND TRANSPORTATION REQUIREMENTS

- A. Pursuant to Government Code Section 66020, including Section 66020 (d) (1), the City HEREBY NOTIFIES the applicant for this Project that the 90-day approval period (in which the applicant may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) will begin on the date of the conditional approval of this Project. If you fail to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, you will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
- B. The proposed development shall comply with City ordinances, policies and regulations. All improvements shall be in accordance with the City's Design Standards, Specifications and Standard Plans unless otherwise specifically approved by the City Engineer.
- C. The applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within public right-of-way. Contractors must be properly licensed, have a valid Business License, and submit proof of insurance. Applicable fees/deposits must be paid.
- D. The applicant shall implement construction best management practices during construction to control erosion, keep sediment from leaving the project site and prevent storm water pollution.
- E. In the event outdoor work is to be performed, the location, details and specifications shall be submitted to the Community Development Director, Principal Engineer, and Public Works Director for review. Per Condition II. C. the Community Development Director may administratively approve or require review by the Board of Zoning Adjustments as a modification to the Conditional Use Permit. Said outdoor work may be required to include but is not limited to design and to construct: an area to prevent the run-on and runoff of stormwater; and secondary containment for the exterior work area where motor oil, brake fluid, gasoline, diesel fuel, radiator fluid, acid-containing

batteries or other hazardous materials or hazardous wastes are used or stored. Drain(s) shall not be installed within the secondary containment area(s).

- F. Vehicle service facilities shall not contain floor drains unless the floor drains are connected to wastewater pretreatment systems prior to discharge to the sanitary sewer, for which an industrial waste discharge permit has been obtained. The applicant shall contact the City of San Leandro Environmental Services Division for specific connection and discharge requirements.
- G. Tanks, containers or sinks used for parts cleaning or rinsing shall not be connected to the storm drain system. Tanks, containers or sinks used for such purposes may only be connected to the sanitary sewer system if allowed by an industrial waste discharge permit. The applicant shall contact the City of San Leandro Environmental Services Division for specific connection and discharge requirements.
- H. No person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials, or rinsewater from parts cleaning operations into storm drains.
- I. No vehicle fluid removal shall be performed outside a building, nor on asphalt or ground surfaces, whether inside or outside a building, except in such a manner as to ensure that any spilled fluid will be in an area of secondary containment. Leaking vehicle fluids shall be contained or drained from the vehicle immediately.
- J. No person shall leave unattended drip parts or other open containers containing vehicle fluid, unless such containers are in use or in an area that cannot discharge to the storm drain, such as an area with secondary containment.

VII. PERFORMANCE STANDARDS

- A. All uses and activities shall comply with the provisions of the San Leandro Noise Regulations (Title IV, Chapter 1 of the Municipal Code).
- B. No use, activity, or process shall produce vibrations that are perceptible without instruments by a reasonable person at the property lines of a site.
- C. No use, process, or activity shall produce dust that is perceptible without instruments by a reasonable person at the property lines of a site.
- D. Any storage on the site, other than occasional vehicle storage shall be maintained inside of the building.
- E. Vehicle idling shall be actively discouraged and restricted to a maximum of two minutes. A sign up to 3 square feet in size shall be clearly posted near the entry to notify drivers of this requirement

VIII. GENERAL CONDITIONS

- A. The approvals granted by the City as a result of this application as well as conditions of approval, shall be recorded in the Office of County Recorder of Alameda County.

- B. No application for amendment of this application or conditions of approval may be submitted or accepted by the City unless (I) there is full compliance with all terms of the application and conditions of approval; or (ii) the Community Development Director waives compliance with the terms of the application and conditions of approval pending application for amendment.
- C. Pursuant to Zoning Code Section 5-2218.A, this approval shall lapse on **October 5, 2018** unless a) a building permit or business license has been issued, coupled with diligent progress evidencing a good faith intent to commence the intended use, or b) a written request for a one-year extension of the use permit is approved by the Zoning Enforcement Official.