



## Legislation Details (With Text)

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**Title:** PLN17-0007; Consideration of a Conditional Use Permit and Administrative Review modification and Site Plan Review for Alameda County Industries, Inc. (ACI) to make operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility located at 601 Aladdin Avenue in order to accommodate anticipated growth in materials streams and to improve operational efficiencies. The project proposal also includes construction of a 21,800 sq. ft. building over the current Transfer Facility. The changes will require revisions to the existing Solid Waste Facility Permit (SWFP No. 01-AA-0290) and to the Conditional Use Permit (PLN2006-00061) at 610 Aladdin Avenue and Enforcement Agency Notification (SWFP No. 01-AA-0319) and Administrative Review (PLN15-0006) at 601 Aladdin Avenue. Zoning District: Industrial General (IG); Alameda County Assessor's Parcel Numbers 77A-650-2-10 and 77B-800-15; ACI (applicant) and ACI and Aladdin Depot Partnership (property owners).

**Indexes:**

**Code sections:**

**Attachments:** 1. Vicinity Map, 2. Applicant Statement, 3. Recommended Findings of Fact, 4. Recommended Conditions of Approval, 5. Initial Study - Mitigated Negative Declaration, 6. Mitigation Monitoring and Reporting Program, 7. Exhibits A-M

Date	Ver.	Action By	Action	Result
10/5/2017	1	Board of Zoning Adjustments	Received and Filed	Pass

**PLN17-0007;** Consideration of a Conditional Use Permit and Administrative Review modification and Site Plan Review for Alameda County Industries, Inc. (ACI) to make operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility located at 601 Aladdin Avenue in order to accommodate anticipated growth in materials streams and to improve operational efficiencies. The project proposal also includes construction of a 21,800 sq. ft. building over the current Transfer Facility. The changes will require revisions to the existing Solid Waste Facility Permit (SWFP No. 01-AA-0290) and to the Conditional Use Permit (PLN2006-00061) at 610 Aladdin Avenue and Enforcement Agency Notification (SWFP No. 01-AA-0319) and Administrative Review (PLN15-0006) at 601 Aladdin Avenue. Zoning District: Industrial General (IG); Alameda County Assessor's Parcel Numbers 77A-650-2-10 and 77B-800-15; ACI (applicant) and ACI and Aladdin Depot Partnership (property owners).

### SUMMARY AND RECOMMENDATION

The applicant, Alameda County Industries, Inc. (ACI), proposes to make operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility located at 601 Aladdin Avenue to accommodate anticipated growth in materials streams and to improve operational efficiencies throughout the facility. The project proposal also includes construction of a 21,800 sq. ft. building over the current Transfer Facility. The Zoning Code requires that Transfer Stations and Recycling Facilities, Heavy Processing in the IG Industrial General District obtain a Conditional Use Permit (Sections 2-706.B.21 and 26). Any new industrial development structure exceeding 5,000 square feet in size requires Site Plan Review approval (Section 5-2502.B.4.a).

With the recommended Conditions of Approval, staff finds that the proposed operational changes would function in an orderly manner on the property without detriment or burden to the immediate area and would be compatible with adjacent industrial uses along Aladdin Avenue. Staff recommends that the Board of Zoning Adjustments:

- A. Adopt the Draft Initial Study-Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program;
- B. Adopt the recommended Findings of Fact; and
- C. Approve Conditional Use Permit modification, Administrative Review modification, and Site Plan Review PLN17-0007, subject to the attached recommended Conditions of Approval.

## **APPLICANT'S SUPPORTING STATEMENT**

See attached Applicant Statement.

## **RELATIONSHIP TO SURROUNDING AREA**

The subject site encompasses two parcels, 601 and 610 Aladdin Avenue, approximately 8.88 total acres in size. The project sites are located at the eastern end of Aladdin Avenue where it terminates in a cul-de-sac at the Union Pacific Railroad right-of-way. Directly to the east of the railroad tracks and right-of-way is a PG&E substation property. The immediate nearby properties are zoned IG Industrial General District and are developed with various industrial uses including manufacturing, distribution, warehousing & storage, delivery & trucking, and building materials. A majority of the buildings in the area are large warehouse-type structures.

## **BACKGROUND**

ACI provides residential, commercial, and industrial collection services for recyclables, organics, and garbage. ACI is the franchised waste-hauling company for the cities of Alameda and San Leandro excluding the Oro Loma Sanitary District.

### Past Zoning Entitlements

In 1995, ACI received Conditional Use Permit (CU-95-10) approval to construct and operate a collection and processing facility for recyclable materials, including the construction of a new administrative office building and vehicle maintenance facility on the 2.82-acre parcel located at the eastern terminus of Aladdin Avenue. The 1995 use permit approval included the use of the site for the storage and maintenance of vehicles and equipment and the municipal collecting and receiving of non-hazardous materials (i.e., glass, cans, plastic containers, paper, cardboard, and scrap metal, etc.) for the purpose of recycling. Waste material collected daily by the disposal company is deposited the same day at the Davis Street Transfer Station, operated by Waste Management, or at various landfills in the Bay Area.

In 1996, ACI requested a modification to the approved Conditional Use Permit (CU-96-18) in order to construct a new warehouse building to cover the existing recycling operations. Construction of the building was warranted to reduce the possibility of rainwater washing different residues from collected recyclable materials into the City's storm drain system and the San Francisco Bay, and to protect the employees from the extreme weather conditions. In 1997, another modification to the approved Conditional Use Permit (CU-97-7) was approved to construct a metal building on the site, approximately 10,000 square feet larger than the metal building approved in 1996.

In June 2000, administrative approval was granted to permit municipal green waste collection and processing as an expansion of the existing recyclables processing that occurs on-site. In March 2001, the recyclables program was expanded again, with administrative approval, to incorporate the collection and processing of construction and demolition materials.

In August 2001, Conditional Use Permit (PLN2001-00049) approval was granted by the Board of Zoning Adjustments to establish a Direct Transfer Facility, separate from ACI's existing recycling facility. The proposal included construction of a new loading area for seven semi-type trailers that are specially equipped to handle solid waste. State permitting through the California Integrated Waste Management Board (CIWMB) limited the solid waste allowed at the facility to 150 tons per day.

In 2007, ACI requested a modification to the approved Conditional Use Permit (PLN2006-00061) to increase daily tonnage from 150 to 280 tons per day due to the inclusion of green waste and mixed construction debris recycling activities. A California Environmental Quality Act (CEQA) Initial Study and Mitigated Negative Declaration was adopted for this project by the Board of Zoning Adjustments. In November 2010, administrative approval was granted to modify Conditional Use Permit (PLN2006-00061) regarding tons per day allocations and permitted hours of operation. A CEQA Notice of Exemption for was filed on January 7, 2011 for this minor modification.

In April 2015, administrative approval (PLN15-0006) was granted to permit a light processing facility of recyclable materials which includes bulky material sorting and storage of furniture, mattresses, appliances, tires, electronic waste and latex paints at 601 Aladdin Avenue.

#### Franchise Agreement

Under the terms of the existing Franchise Agreement between the ACI and the City (Resolution 2000-8), ACI provides municipal collection and transportation for disposal of solid waste; collection, transportation, processing and marketing of all recyclable materials; and collection, transportation, processing and marketing of green waste (i.e. organic materials).

#### Current Business Operations

The Direct Transfer Facility receipt and transfer of materials is five days per week, Monday through Friday from 5:00 a.m. to 6:00 p.m. inbound and up to 2:00 a.m. the following day for outbound. The Materials Recovery Facility operates also has receipt and transfer of materials Monday through Friday, from 5:00 a.m. to 6:00 p.m., with occasional overtime work on the weekends. Processing hours at the Materials Recovery Facility is from 5:00 a.m. to 10:00 p.m. Monday through Saturday. The on-site maintenance facility hours are currently 24 hours per day. The administrative offices are open Monday through Friday, from 8:00 a.m. to 5:00 p.m.

### **DETAILS OF PROPOSAL**

In response to county and state-level regulatory changes, expanding waste collection and diversion programs, and technology advances, ACI is anticipating growth in the materials streams. The purpose of the proposed project is to accommodate anticipated growth and improve operational efficiency at ACI facilities. The project involves operational changes at the Materials Recovery Facility and Transfer Facility located at 610 Aladdin Avenue and at the Limited Volume Transfer Facility operations located at 601 Aladdin Avenue. The following lists the operational changes proposed for the proposed project by site:

#### **Materials Recovery Facility and Transfer Facility Parcel (610 Aladdin Avenue)**

- Increase the combined Materials Recovery Facility and Transfer Facility's permitted tonnage from 412 tons per day (tpd) to 620 tpd for the entire facility and remove any separate tonnage limitations for the individual categories of materials accepted (e.g., the Transfer Facility's current maximum limit of 280 tpd would be eliminated);
- Extend the waste acceptance, transfer and processing hours to 24 hours per day, 7 days per week;
- Allow for temporary exceedances of inbound tonnage above 620 tpd by up to 10 percent for a maximum of 20 days per year (62 tpd for up to 20 days);
- Accept food waste/organics and other materials from third party waste haulers and jurisdictions for transfer and/or pre-processing, including municipal solid waste from ACI's other franchise jurisdictions;
- Modify and cover the entire transfer operation with a 21,800 square foot building;
- Retrofit the existing Materials Recovery Facility building to include second floor offices, break room, and restroom facilities (building permit has already been issued); and,
- Increase the material storage requirement to 48 hours, consistent with state minimum standards.

#### **Limited Volume Transfer Facility Operations Parcel (601 Aladdin Avenue)**

- Relocate the existing maintenance shop at 610 Aladdin Avenue to 601 Aladdin Avenue or to another industrial facility nearby; and,
- Modify the Limited Volume Transfer Facility operations to expand the bulky item sorting operations at 601 Aladdin Avenue.

## STAFF ANALYSIS

### Conditional Use Permit and Administrative Review

The Zoning Code requires that Transfer Stations and Recycling Facilities, Heavy Processing in the IG Industrial General District obtain a Conditional Use Permit (Sections 2-706.B.21 and 26). As discussed above, numerous zoning entitlements have been obtained by ACI since 1995. ACI is now proposing changes to the Materials Recovery Facility and Direct Transfer Facility, which include an increase the combined daily tonnage, extended hours, allowing for temporary exceedance, increased material storage, accepting materials from third party waste haulers, and modifying and covering the existing Transfer Station, which requires a modification to the existing Conditional Use Permit (PLN2006-00061). The existing maintenance shop, which is considered an accessory use to the Conditional Use Permit, would be relocated to 601 Aladdin Avenue or to another nearby location to provide for future material handling, storage, and processing in a covered space. Further, ACI is proposing to add bulky item sorting to the Limited Volume Transfer Facility at 601 Aladdin Avenue which requires modifications to the Administrative Review (PLN15-0006) for Recycling Facilities, light processing per Zoning Code Section 2-706.C.17.

ACI has been operating as a recyclables collection & processing center and a solid waste transfer facility at the project sites with approved permits since 1995 and 2001. The proposed operational changes and proposed building construction will accommodate the proposed increase in tonnage, extended processing hours, material hold during holidays, and storage requirements for the project sites. The project as proposed is an appropriate use of the industrial property and will improve the existing facility.

Currently, the existing Transfer Facility operations occur out in the open and are not covered. The proposed 21,800 square foot building will cover and enclose the operations area of the Transfer Facility making the operations more compatible with the existing surrounding industrial area and improving existing conditions. The proposed operational changes will result in landfill reduction and proposed material storage will result in vehicle trips occurring during non-peak travel times. Although an estimated additional 94 vehicle trips per day will result from the operational changes at the sites, the resulting cumulative traffic conditions of less than 2.2% of baseline volumes was considered in a traffic study by a consultant and determined to have less than significant impacts and nearby intersections would operate at acceptable levels of service, as projected to the year 2035.

The subject properties have adequate off-street parking and employee/customer parking with a total of 141 on-site parking spaces. Further, the San Leandro Links provides a free shuttle service from the San Leandro BART station to a nearby stops at Alvarado Street and Montague Avenue and Alvarado Street and Teagarden Street during regular commuting hours. Overall, the subject sites are adequately served by streets, utilities and other public facilities without detriment to the immediate area.

Furthermore, the proposed project will be subject to certain limitations through the recommended conditions of approval to avoid adverse effects on adjacent uses and properties. Recommended conditions requiring site maintenance and odor, noise, and vibration control measures will ensure continued compatibility with the immediate industrial area. The recommended conditions of approval will maintain the character of the industrial area, promote the use of the existing industrial area, and prevent impacts to the adjacent industrial uses.

### Site Plan Review

Any new industrial development structure exceeding 5,000 square feet in size requires Site Plan Review approval (Section 5-2502.B.4.a). The proposed project will involve construction of a 21,800-square-foot building over the current Transfer Facility area. The proposed Transfer Facility building complies with the IG District requirements for setbacks, lot coverage, and floor area ratio. Further, the height of approximately 43 feet 3 inches, will also comply with the height requirement which is less than 50 feet maximum allowed by the Zoning Enforcement Official or in this case the Board of

## Zoning Adjustments.

The current Transfer Facility operations occur outside in the open and are not covered. The proposed building will cover and enclose the operations area of the Transfer Facility. The covered operations will reduce odor, noise, and the number of seagulls or vermin that could affect the site, which will make the site compatible within the existing industrial context of the immediate area. Further, the proposed building will extend east from the existing materials recovery facility building and will match the existing buildings colors, materials, and finishes. The roof design and materials will be compatible and lower than the height of the existing materials recovery facility building at the subject property. The existing fencing at the site provides adequate screening from the proposed transfer building and operations.

The applicant is proposing to remove 587 square feet of landscaping, which will be replaced with 767 square feet of landscaping in the front setback of 610 Aladdin Avenue. Prior to issuance of building permits, a final landscape and irrigation plan is to be submitted for review. The plan shall provide adequate landscaping that will be sufficient to continue to provide a contextually appropriate level of landscaping with a variety of plant material at the subject property. Overall, since ACI has been operating at the project sites since the mid 1990's, signage, fencing, lighting, and landscaping have been well maintained, above the standards of the other industrial properties in the immediate industrial area.

## GENERAL PLAN CONFORMITY

The project site at 601 Aladdin Avenue is designated Light Industrial in the City's General Plan Land Use Map. Light Industrial areas are characterized by uses such as "wholesale activities, distribution facilities, research and development or e-commerce uses, business services, technology, and manufacturing operations which produce minimal off-site impacts" (General Plan page 3-30). The project site at 610 Aladdin Avenue is designated Public/Institutional in the City's General Plan Land Use Map which in addition to denoting "public schools, libraries, post offices, churches public hospitals, and other public or institutional buildings," also "denotes major utility properties or facilities" (General Plan page 3-32) such as the PG&E sub-station property immediately adjacent to the east of the project site. The surrounding properties are zoned IG Industrial General District and denoted as Light Industrial in the General Plan, and are developed with various industrial uses including manufacturing, distribution, warehousing & storage, delivery & trucking, and building materials.

The following General Plan goals and policies apply:

**Policy 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.

**Policy 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.

**Goal LU-10** - Ensure that commercial and industrial projects are attractively designed and are sensitive to surrounding areas.

**Policy LU-10.4** - Industrial Sanctuary. Protect the City's major industrial areas from encroachment by uses that are potentially incompatible with existing viable industrial activities, or which may inhibit the ability of industry to operate effectively.

ACI has operated at the subject sites since 1995 without creating any known adverse effects on adjacent and nearby uses. Therefore, staff anticipates that the potential for conflicts with the operational changes and the existing industrial land uses will continue to be minimal. The proposed project is an appropriate use of the industrial property. The proposed project, with the recommended conditions of approval, will not be detrimental or injurious to property and will not be detrimental to the public health, safety, welfare or convenience of those working or residing in the area.

## **PUBLIC OUTREACH**

This item received standard noticing for the October 5, 2017 Board of Zoning Adjustments hearing, including a legal advertisement in the East Bay Times Daily Review newspaper, the posting of notices at City Hall and on the property, and mailing notification to business and property owners within 500 feet of the subject property. Notices were also mailed to the Davis West Neighborhood Group and Marina Action Committee.

In addition, a Notice of Intent to adopt a Mitigated Negative Declaration was filed with the Alameda County Clerk's Office on August 31, 2017, the subject property was posted, and a copy of the draft Initial Study - Mitigated Negative Declaration was made available for public review on the City's website and at the City's Permit Center.

## **ENVIRONMENTAL REVIEW**

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared an Initial Study (preliminary environmental analysis) and finds that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the City, and that a Mitigated Negative Declaration of environmental impact and Mitigation Monitoring Plan should be adopted by the Board of Zoning Adjustments. The Initial Study - Mitigated Negative Declaration can be found at: <https://www.sanleandro.org/depts/cd/plan/polplanstudiesceqa/default.asp>

## **RECOMMENDATION**

The use and project as proposed conforms both to the City Zoning Code and to the General Plan. Any potential issues associated with this application will be addressed by the implementation of the recommended Conditions of Approval. Staff therefore recommends that the Board of Zoning Adjustments:

- A. Adopt the Draft Initial Study-Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program;
- B. Approve the attached Recommended Findings of Fact; and
- C. Approve the Conditional Use Permit modification, Administrative Review modification, and Site Plan Review PLN17-0007, subject to the recommended Conditions of Approval.

## **ATTACHMENTS**

Vicinity Map  
Applicant Statement  
Recommended Findings of Fact  
Recommended Conditions of Approval  
Initial Study - Mitigated Negative Declaration - Mitigation Monitoring and Reporting Program  
Exhibit A - Cover Sheet (Sheet 0.1)  
Exhibit B - Perspective (Sheet 0.2)  
Exhibit C - Code Area and Fence Plan (Sheet 1.1)  
Exhibit D - Site Plan - Detailed (Sheet 1.2)  
Exhibit E - Fire Department Access & Compliance Layout (Sheet 1.3)  
Exhibit F - Proposed Main Level Plan (Sheet 2.0)  
Exhibit G - Elevations (Sheet 3.0)  
Exhibit H - Sections (Sheet 4.0)  
Exhibit I - Sections (Sheet 4.1)  
Exhibit J - Firewall (Sheet B2)  
Exhibit K - Ramp Profiles (Sheet C1)  
Exhibit L - Ramp and Truck Scale Drainage Schematic (Sheet C2)  
Exhibit M - Project Site Plan (Figure 1)

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