



## Legislation Text

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**File #:** 16-448, **Version:** 1

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PLN16-0032; Conditional Use Permit; to warehouse and distribute chemicals from 1251 Doolittle Drive (southwest corner of Doolittle Drive and Davis Street), which includes distribution of hazardous chemicals to aerospace, biopharmaceutical, defense contracting, research and development, and semiconductor manufacturing. The property is zoned IG Industrial General District. In the IG District hazardous chemical storage and distribution requires a Conditional Use Permit per Zoning Code Section 2-706 B. 14. Alameda County Assessor's Parcel Numbers 79A-515-1-19 and 79A-515-7; R. Williams, Chemical Strategies, Inc. (applicant), C. Lutz, Balco Properties, LTD. LLC (property owner).

1. Adoption of the finding that this project is categorically exempt under CEQA Guidelines, Article 19, Section 15301, as an existing facility;
2. Adoption of the attached Recommended Findings of Fact for Conditional Use Permit, PLN16-0032; and
3. Approval of Conditional Use Permit, PLN16-0032, subject to the Recommended Conditions of Approval.

### **SUMMARY AND RECOMMENDATION**

As referenced above, the proposal is a request for a Conditional Use Permit to allow for the operation of a chemical warehouse and distribution facility in an existing 120,000 square foot industrial warehouse building located at 1251 Doolittle Drive. The proposed use includes the storage distribution of certain hazardous chemicals. A Conditional Use Permit is required due to the H (Hazardous) building occupancy designation. The property is zoned IG District and in this zoning district, hazardous chemical storage and distribution requires a Conditional Use Permit (CUP) per Zoning Code Section 2-706 B. 14. The applicant has provided a detailed statement and project description regarding the proposed use, attached to this report.

The proposal will make use of a large and prominent industrial property which has been vacant. The building improvements and operation is regulated by strict Building and Fire Codes, and the City's Environmental Division on behalf of the California EPA, thus this oversight should make the proposed use acceptable and without detriment to public health, safety or welfare of persons and properties in the neighborhood. With Code requirements and recommended conditions the chemical warehouse and distribution facility would make the use compatible with the immediate area.

Staff recommends that the Board of Zoning Adjustments make the attached findings and approve PLN16-0032 subject to the attached recommended conditions of approval.

### **RELATIONSHIP TO SURROUNDING AREA**

The subject property is a 4.35 acre site at the southwest corner of Doolittle Drive and Davis Street, and zoned IG Industrial General District. Properties to the north, east and west are zoned IG District and contain various general industrial uses, including ALCO Metals recycling, Copper Harbor

chemical manufacturing, and a contractor across the street to the north, DC Metal recycling immediately adjacent to the west, and warehouse, distribution and light manufacturing adjacent to the south.

## **BACKGROUND**

The proposed warehouse and distribution facility will be located in the existing 120,000 square-foot (approx.) warehouse building which is one of three buildings on the site and situated closet to the intersection of Doolittle and Davis Street. At this time, there is an existing electronics recycler operating in the westerly 40,000 square foot warehouse building, which received approval from the Board of Zoning Adjustments for Conditional Use Permit PLN2013-00012 on June 6, 2013. In the southerly 16,000 square foot warehouse there is a marble and granite wholesale distributor which is a permitted use as Building Materials and Services (Zoning Code Section 2-706 A. 7.). These two businesses have the address of 2375 Davis Street.

Chemical Strategies, Inc. (CSI), the applicant, is a chemical distributor and supply management company. It services high technology companies in industries such as aerospace, defense contracting, research and development, and semiconductor manufacturing. The applicant has noted to staff that the subject property is an ideal facility and central location to service clients in the Bay Area

## **DETAILS OF THE PROPOSAL**

The 120,000 square foot building will be compartmentalized into four specific storage areas (Occupancy Types) and an office space. See attachment Exhibit B - Floor Plan.

- The western 16,565 square feet will be H-3 Occupancy for flammables storage.
- The northern 8,173 square feet mid-section will be another H-3 Occupancy for oxidizers storage.
- The center 15,085 square feet will be an H-4 Occupancy for corrosives storage.
- The remaining 78,708 square feet will be S-1 Occupancy for general non-regulated storage.
- The northern 2,000 square feet between the two H-3 Occupancies will be the location of the administrative office.

It is the H (Hazardous) Occupancies that require a CUP for the proposal. The applicant acknowledges and proposes the following upgrades to the building that would be required for the warehouse building.

- Compliance with California Building and Fire Building Codes, and current Bay Area seismic standards. This would include a retrofit tie-system between the existing walls and roof framing.
- During the seismic retrofit work, there will be a new or partial rebuilt roof.

In addition, the CUP would include the following site improvements that would be more apparent from public view:

- The building will be completely cleaned up and repainted on the outside.
- All pavement areas outside the building will be repaired, replaced, recoated and restriped to bring the parking area to a new condition.
- Landscaping improvements will include adding trees along the Davis Street side of the

building to create an enhanced appearance of trees buffering the expansive building elevation. Furthermore, the applicant proposes to phase within the first year after CUP approval, additional enhancements to the Davis Street frontage with new architectural/decorative fencing, to replace the existing chainlink fencing. Landscaped planters would also be considered to the extent possible without significant variation to pre-existing site constraints such as vehicle circulation and parking on the property.

### Operation

CSI will receive approximately four to five semi-trucks of materials per day and will perform Bay Area deliveries utilizing its own trucks. CSI has three trucks that include: a 48 foot Tractor Trailer, a 40 foot Tractor Trailer and a 24 foot Bobtail truck. The loading and unloading from the trucks takes place completely inside the building. The use would have four forklifts. CSI plans to employ five to six upper management and office personnel and 14 to 15 warehousepersons and drivers. Its operating hours will be 5:00 a.m. to 5:00 p.m. The site is secured by a seven-foot tall chain link fence and two gates, which will be closed nightly when all three businesses on the site are closed.

### **STAFF ANALYSIS**

The purpose for conditional use review is to ensure that the proposed subject use will not be detrimental to public health, safety or welfare of persons and properties in the neighborhood. The review must determine whether the operation of the use and the neighborhood are compatible. In addition, through the review process the enhancements and improvements to the appearance of the property are considered to carry out the City's policies listed in the General Plan to preserve the character and quality of industrial areas consistent with the character of the development districts in the City and to improve the design and aesthetic quality of new and existing development.

The proposed use has been thoroughly reviewed by the various City Departments including the Environmental Services Division, Building Division, Fire Department, Engineering and Transportation Department and the Planning Division.

The chemical distribution facility is being proposed in an Industrial General (IG) zoning district, which is appropriate for the proposed use. The CUP process provides for the protection of existing industrial sites and allows for continued operation of existing general industry, subject to performance standards such as compliance with Codes for hazardous chemicals. Per the details of the proposal previously in this report, there will be strict Building and Fire Code requirements to satisfy in the construction of the existing building that will be required prior to Certificate of Occupancy by the Building Division and Fire Department, and any business operation that involves the hazardous chemicals. These include but are not limited to the following:

- The Fire Sprinkler system will be required to be modified to accommodate the storage of hazardous materials.
- A Manual Fire alarm system will be required due the H-Occupancies.
- Fire Extinguishers with ratings of 4A 40 B:C will be required for every 1,000 square feet of warehouse.
- Panic hardware will be required on exterior doors of the H-Occupancies.
- Emergency lighting and exit signs will be required throughout the building.
- Containment berm inside the H Occupancies will be required to accommodate the flow of the fire protection system.

- A Knox Box will be required at multiple locations for Fire Department access into the building.

In addition, the Environmental Services Division will require the applicant submit a Hazardous Materials Business Plan (HMBP) per California Environmental Protection Agency (Cal EPA) prior to issuance of a Certificate of Occupancy for the Building Permit or placement of the registerable chemicals on to the site, whichever occurs first.

The Environmental Division searched businesses in the one-half mile radius of the subject property that are hazardous materials or hazardous waste related. Its findings were the following:

- There are a combined total of 88 businesses that have an active HMBP or are active Hazardous Waste (HW) generators.
- There are 81 HMBP facilities.
- There are 58 Hazardous Waste generators.
- Of the 88 HMBP facilities, 50 are both a HMBP facility and HW generator.

These businesses include vehicle repair shops, trucking, service stations, contractors, retailers, recyclers, food and beverage manufacturers, and other manufacturing uses. There are a fair number of businesses that are registered and monitored by the Environmental Division and Cal EPA. The fact that businesses handling chemicals are closely monitored by the City and the State is how these businesses co-exist in the City's industrial areas.

Compliance with Building and Fire Codes, monitoring by the Environmental Division, operations being in the enclosed building without any outdoor activities, and operating hours of a normal workday in the center of an industrial area assures that the proposed use is compatible with the surrounding uses.

#### On-Site Parking

Warehousing and distribution facilities require one (1) parking space per 1,500 square feet of floor area (Zoning Code Section 4-1704). The warehouse would require 80 spaces. The office requires one (1) parking space per 300 square feet of floor area. The administrative office would require six spaces. The existing recycling business on the site, per its CUP, requires a total of 18 parking spaces. Building materials and services require one parking space per 1,000 square feet of floor area. Thus the 16,000 square foot building for the marble and granite use would require 16 spaces.

The 194 total on-site parking spaces exceed the 120 required parking spaces for the use of the property. In fact, the amount of spaces far exceeds the actual number of on-site employees which is approximately 40 persons. The recycler has seven employees, the stone business has five employees and the applicant expects up to 30 employees.

The Engineering and Transportation Department and the Fire Department have found that vehicular access to site is adequate, and that on-site circulation, loading and parking is acceptable.

#### Site Enhancements

Staff and the applicant have worked together to maintain and improve the appearance of the site, specifically along Davis Street (the Doolittle Drive frontage already has adequate setback that is fully landscaped with turf and mature trees). First, the windows facing the Davis Street frontage will be

retained since these are features that contribute to the aesthetics on the long expansive wall along the public way. The building will be refreshed with a new paint scheme using gray and blue, the CSI corporate and trademark colors. In addition, the landscaped setback along the Davis Street frontage will be planted with new street trees with appropriate sized canopies for the thoroughfare (i.e., acacias, sycamores). Furthermore the existing chainlink fencing will be removed and replaced with new architectural/decorative fencing and new landscaped planters to the extent possible without significant variation to existing vehicle circulation and parking on the property.

The proposed warehouse and distribution of chemicals will be compatible with other uses permitted in the IG District. The existing industrial/warehouse building space can be remodeled to a warehouse for chemicals and does not require the applicant to make any significant changes to the exterior of the property.

### **GENERAL PLAN Conformance**

The property is designated General Industrial in the City's General Plan Land Use Map. General Industrial areas are characterized by "a wide range of manufacturing, transportation, warehousing, vehicle storage, and distribution uses" (General Plan page 3-12). A warehouse and distributor of chemical use is not out of keeping with the intent of the uses characterized and therefore will be consistent with the City of San Leandro General Plan for this land use designation. The following General Plan policies would apply:

**7.01 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.

**7.06 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.

**10.01 Reuse Of Older Buildings** - Support the reuse of underused, vacant or obsolete industrial buildings with the goals and policies of the General Plan.

**43.01 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.

**43.07 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.

**44.01 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.

**44.05 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.

## **ENVIRONMENTAL REVIEW**

This item is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301, as an existing facility.

## **PUBLIC OUTREACH**

This item received normal noticing, including a legal advertisement in the Daily Review Newspaper, posting of the property, and mailing notification of both business and property owners within a 500-foot radius. At the writing of this report, no comments had been received by any members of the public.

## **RECOMMENDATION**

Staff recommends that the Board of Zoning Adjustments:

1. Adopt the finding that this project is categorically exempt under CEQA Guidelines, Article 19, Section 15301, as an existing facility;
2. Adopt the attached Recommended Findings of Fact for Conditional Use Permit, PLN16-0032; and
3. Approve Conditional Use Permit, PLN16-0032, subject to the Recommended Conditions of Approval.

## **ATTACHMENTS**

Vicinity Map  
Applicant's Supporting Statement and Project Description  
Recommended Findings of Fact  
Recommended Conditions of Approval  
Exhibit A - Site Plan, Perspectives  
Exhibit B - Floor Plan  
Exhibit C - Elevations  
Street Views of Project Site (via Google)

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