



## Legislation Text

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**File #:** 18-327, **Version:** 1

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**PLN18-0022;** Consideration of a Conditional Use Permit to operate a vehicle (truck and van) rental business and Site Plan Review for the creation of related outdoor storage areas at an existing self-service gasoline station, convenience store and tire repair shop located at 13700 Catalina Street; Assessor's Parcel Number 80G-931-16; A. Ali, A & M Partnership (applicant); C. Morgan (property owner); Industrial General (IG) zoning district.

### SUMMARY AND RECOMMENDATION

The applicant proposes to operate a truck rental business in addition to an existing convenience store, self-service fueling station and tire repair shop on Industrial General (IG) zoned property located at 13700 Catalina Street, at the southeast corner of Fairway Drive and Catalina Street. The Zoning Code requires that vehicle and equipment rental businesses in the IG zoning district obtain a Conditional Use Permit (Zoning Code Section 2-706 B.32.). In addition, Site Plan Review approval is required for outdoor vehicle storage areas visible from off-site (Z.C. Section 5-2502 B.4.d.). Staff recommends that the Board of Zoning Adjustments adopt the recommended Findings of Fact and approve PLN18-0022 subject to the attached recommended Conditions of Approval.

### APPLICANT'S SUPPORTING STATEMENT

*"The project we are applying for is to make new parking spaces on our property to accommodate a fleet of U-Haul trucks."*

### RELATIONSHIP TO SURROUNDING AREA

Surrounding properties across the street to the north fronting Fairway Drive are zoned RO(PD) Residential Outer, Planned Development Overlay District. From west to east, these properties are developed with single-family homes, apartment complexes, and a church (see attached Vicinity Map). Properties to the northeast, east, and south are zoned IG, Industrial General, and developed with industrial uses such as a PG&E utility yard, and various warehouse buildings containing storage and distribution uses. Adjacent to the east is a PG&E utility right-of-way and a Southern Pacific Railroad right-of-way; the adjacent neighboring use to the south is Penhall Company, a concrete contractors office and storage yard. Across Catalina Street to the west the zoning designation is CN, Neighborhood Commercial, and is developed with the Marina Faire Shopping Center which includes a grocery store, hardware store, various restaurants and shops.

### BACKGROUND

The subject property is approximately 55,640 square feet and located at the southeast corner of Catalina Street and Fairway Drive. An existing 5,453 square foot building is located at the front northwestern corner, and the remainder of the property is paved outdoor area. The property historically functioned as a trucking business with its own fueling facility. After the trucking business

ceased operating in 1998, the site was reused as a self-service gasoline fueling station with a small retail convenience store inside the building, and the former truck service area was changed into a tire sales and repair shop. While processing a business license application, City staff noted that a truck rental business had begun operating on the property and the applicant was informed that the addition of vehicle rentals required a CUP from the Board of Zoning Adjustments (BZA). The business is currently operating the truck rentals without an approved CUP. The applicant has been operating the other various business components on the property since 2014.

## **DETAILS OF THE PROPOSAL**

The applicant is requesting a Conditional Use Permit to operate a U-Haul truck and van rental business from an established self-service gasoline station, convenience store and tire sales and repair shop. The cashier's area inside the store would be used for the vehicle rental transactions (see Exhibit B - Floor Plan). No changes are proposed inside the building to accommodate the vehicle rental business. The outdoor parking area along the interior eastern property line and the interior southern property line would be designated for the display and parking of a maximum of 18 U-Haul trucks and vans (see Exhibit A - Site Plan). There would be 11 vehicle parking spaces along the east edge and seven spaces along the south edge. Trucks and vans for rent will range in size from 10', 15', and 26' in length. The 10' vehicles are either trucks or vans, with the larger sizes comprising cube truck rentals. The typical ratio of trucks stored on the site are 16 10' and 15' foot vehicles and two larger 26' foot trucks. The applicant stated that the site will not exceed a maximum of four larger 26' trucks at any time. The outdoor area will serve a dual function for parking rental trucks as well as customer parking for the convenience store and tire sales and repair shop. The site will be striped for 42 parking spaces in total. The property is served by three driveway access points, two along the Fairway Drive frontage and one on the Catalina Street frontage.

The truck rental business operates every day, from 6 a.m. to 8 p.m. The convenience store, self-service fuel sales and propane sales operates every day from 5 a.m. to 9 p.m., and the tire and wheel shop operating hours are every day from 8 a.m. to 7 p.m. There are seven employees on the site. Five of the seven employees are assigned to staff the truck rental, convenience store, and fuel sales. The tire shop employs two additional employees.

The availability of vehicles for rent will fluctuate from five to 18 vehicles per day. The applicant stated that U-Haul monitors the number of the vehicle rentals so they do not exceed the maximum of 18. U-Haul controls the inventory by rerouting the vehicles to other sites in order to not exceed the proposed maximum capacity. The typical vehicle rental transactions are four to five on weekdays and 10 to 16 on weekends, which includes Friday, Saturday and Sunday. Maintenance and repair of the rental trucks are not performed on site. The maintenance and repair of vehicles is performed at a facility located in Oakland.

The submitted proposal includes landscaped improvements along the frontage of the property. The existing and new landscaped planters are shown on Exhibit A.

## **STAFF ANALYSIS**

"Vehicle/Heavy Equipment Rentals" is conditionally permitted in the IG Industrial General zoning district. Uses may be conditionally permitted whenever the City has deemed that they would be compatible in the subject zoning district and when conditions of approval ensure that such use will

operate in accord with the surrounding area. The zoning code defines “Vehicle/Heavy Equipment Rentals” as rental of trucks and vans, including vehicle storage.

With the proper conditions to appropriately limit the truck and van rental business, landscaping to enhance and improve the street frontage of the property, and attention to bringing non-permitted features on the property into compliance with City Codes, staff is able to make findings that the business will be compatible with the surrounding area. In this instance, the self-service gasoline sales, small convenience store, and tire sales and installation components have been operating at the site for many years without identified complaints from neighboring residents, business owners, and a church across the street. Staff recommends the truck and van rental storage areas be limited to parking along on the interior property lines to maintain good aesthetics along Fairway Drive. The applicant is agreeable to constructing and installing new landscaping along Fairway Drive. In addition, a condition is recommended that no outdoor storage or display other than the trucks shall be permitted and maintenance continues to not be performed on-site. Boxes or hand-trucks for moving will be required to be stored either in the trucks or inside the building. Otherwise, standard conditions are recommended, such as the prohibition of storing inoperable vehicles, prohibiting illegal signs and banners, and maintaining the property in a neat and orderly condition at all times.

The identified hours of business are a normal workday schedule and should have no impact on neighboring residents or businesses. The proposed rental component’s operating hours will end in the early evening hours: 8 p.m. on weekdays and 7 p.m. on weekends.

### Parking

The Zoning Code requires a total of 28 off-street parking spaces to accommodate all of the different components of the business. The convenience store (retail) requires 11 spaces at a ratio of one space per 200 square feet for the 2,273 square foot store. The tire repair shop requires eight (8) spaces at a ratio of one space per 400 square feet for the 3,180 square foot shop space. The truck and van rental component will require nine (9) parking spaces at one space per 400 square feet, separate from the proposed truck and van inventory of 18 vehicles. Staff believes that the proposed parking supply within the existing parking lot will be adequate to accommodate the additional truck and van rental component.

The proposed site plan shows a total of 42 parking spaces of which 18 would be reserved for truck and van rental inventory display and parking. That leaves 24 parking spaces for convenience store, tire sales and truck rental customers and employees. The parking count does not include eight to 12 vehicle spaces adjacent to existing fuel pumps that customers typically use when making store purchases. The applicant stated that about 60 percent of self-service fuel customers park in the fueling island queue instead of the striped parking lot spaces. In addition, U-Haul truck rental customers typically do not leave their personal vehicle parked on the property during the use of their rental. When the rental trucks are in use, their striped spaces on-site would also be made available to customers. The tire business is a relatively low traffic generator as it serves only five to six customers per day. The expansive paved lot should provide adequate parking and access/circulation. Given the circumstances, staff finds the parking will be adequate for the various business components.

### Proposed Landscaping

The site is currently void of landscaping along the Fairway Drive frontage of the property.

Consideration of a Conditional Use Permit and Site Plan Review puts the provision of landscaping within the purview of the Board of Zoning Adjustments. The applicant agrees with the City's interest and effort to improve the appearance of private property and public thoroughfares. Accordingly, new planters are proposed between the Fairway driveways and the substantial planter area along northeastern corner of the property. In addition, the applicant is agreeable to maintaining the parkway strip planters along the Fairway sidewalk (within the public right-of way) and refurbishing the planters at the corner of the property and along Catalina Street. The landscaping would buffer and soften the truck parking on the largely paved site. The recommended conditions of approval provide that a landscape architect be retained to prepare the landscape and irrigation plans to comply with the State's Water Efficient Landscape Ordinance (WELO). As no building permits are necessary for the proposed use, the condition specifies that the design be submitted to the City for review within 60 days of the BZA's action; and that the approved plans be implemented within 90 days of city staff approval of the plans.

### Resolving Unpermitted Site Improvements

In the review of the proposed application, it came to the attention of City staff that the existing propane tanks and one of two freestanding signs along Fairway Drive were installed without permits. Staff recommends a condition of approval requiring the applicant to obtain building permits to bring the existing propane tanks into compliance and to remove the unpermitted freestanding sign. Under other circumstances, staff would recommend the propane tanks be located farther away from the street, but as their current location was determined to be outside of the required 10 foot front landscaping setback, relocation is not required. The tanks appear to be adequately protected from vehicles by existing bollards and the applicant is agreeable to installing a landscaping buffer to screen and soften their appearance from Fairway Drive.

Staff recommends the existing unpermitted freestanding sign adjacent to the Fairway Drive entrance be conditioned for removal because its location adjacent to the front property line does not comply with existing setback requirements. Freestanding signs, when permitted, are required to have a setback of at least one-half their height from a given property line. Staff recommends a new low-profile monument fuel price sign be proposed elsewhere through a separate future sign permit and be placed within a landscaped setback with a maximum height of six feet including base. Staff discussed this recommendation with the applicant prior to the hearing and they were agreeable to this recommended condition consistent with similar prior recommendations for self-service fueling station applications.

It should be noted that the other existing freestanding sign located at the corner of Fairway and Catalina, facing the intersection, is legal non-conforming, as a records search conducted by staff identified the sign received prior building permit approvals in 1970 and in 1984.

With the recommended conditions of approval, including landscaping improvements, inspection and permitting of existing propane tanks, and restrictions on the parking and display of rental trucks and vans, staff is able to recommend findings to approve the requested Site Plan Review and Conditional Use Permit.

### Other City Department Recommendations

The Building Division, Engineering Department, Environmental Services and Public Works

Department have recommended certain conditions of approval, which are included in an attachment to this report. Those conditions include providing ADA-compliant parking and accessible path of travel, a trash enclosure that meets local requirements, submittal of a Hazardous Materials Business Plan, and to obtain the necessary building permits. In addition, the City recommends a condition that in the future the City reserves the right to require a canopy and/or containment at the fueling island and pumps with a Building Permit or C3 Permit for Stormwater Management and Retention on the property. Only a nonconforming fueling facility would not have a canopy or containment at the fueling area.

## GENERAL PLAN CONFORMANCE

The subject property is designated as Light Industrial in the City's General Plan Land Use Map. Light Industrial areas are characterized by wholesale activities, distribution facilities, and business services, which produce minimal off-site impacts. A limited range of commercial uses also is permitted in these areas. Uses in areas with this designation must be capable of locating adjacent to residential areas without creating adverse effects" (General Plan page 3-30 and 3-31), therefore, the provision of a vehicle rental use will be consistent with the City of San Leandro's General Plan for this land use designation. In addition, the following General Plan goals and policies would apply:

### Land Use (LU)

**Policy 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.

**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-8** - Retail and Service Districts. Establish excellent community and neighborhood serving retail and entertainment uses.

**Policy LU-8.1** - Retail Hierarchy. Maintain a range of retail uses in the City, consisting of: (a) Regional shopping concentrated around the existing centers at Bayfair, Marina Square, and Westgate; (b) Community retail uses centered in Downtown San Leandro, reinforcing the area's image as the City center; (c) Neighborhood shopping districts located within subareas of the City, providing basic goods and services within easy access of neighborhood residents; and (d) Larger-scale general commercial activities such as building suppliers, lumberyards, and home improvement stores that occur on the edges of industrial areas.

**Policy LU-8.2** - Aesthetics. Upgrade the City's commercial corridors 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, control excessive signage, and provide streetscape amenities and landscaping along the corridors.

**Policy LU-8.5** - Commercial Uses With An Industrial Character. Maintain areas in the City that are

appropriate for lumberyards, construction suppliers, automotive repair shops, and other commercial uses that are industrial in character or that typically locate in industrial areas. While development standards in these areas should respect the operational characteristics of these uses, they should still promote aesthetic improvements, adequate buffering for nearby uses, traffic safety, and a more positive visual image.

**LU-9.5 - Gateway Improvements.** Encourage “gateway” improvements which enhance the approach routes to the Shoreline while minimizing the impacts of increased traffic on area neighborhoods. Improvements could include new signage, streetscape enhancements along Marina Boulevard and Fairway Drive, entry monuments and landscaping at the Shoreline itself, and longer-term circulation changes.

**GOAL LU-10 - Land Use Compatibility.** Ensure that commercial and industrial projects are attractively designed and are sensitive to surrounding areas.

**Policy LU-10.1 - Zoning.** Use zoning district boundaries, zoning standards, and other regulatory tools to control the interface between heavier industrial uses and residential areas, and to limit the impacts of industrial activities on nearby neighborhoods.

**Policy LU-10.2 - Off-Site Impacts.** Consider the setting and context of each site when evaluating proposals for development in industrial areas. The potential for impacts on adjacent uses, including the potential for land use conflicts and increased parking demand and truck traffic, should be a key consideration.

**Policy LU-10.3 - Buffering.** When new development or adaptive reuse takes place in industrial areas, use a variety of buffering measures including land use restrictions, landscaping and screening, sound walls and insulation, and limits on hours of operations and activities to promote land use compatibility. The City’s zoning regulations should continue to contain development and design standards that minimize the potential for conflicts between industrial and residential uses, and between commercial and residential uses.

### Community Design (CD)

**GOAL CD-7 - A More Visually Attractive City.** Create a more visually attractive City, with well landscaped and maintained streets, open spaces, and gathering places.

**Policy CD-7.1 - Greening San Leandro.** Promote drought-tolerant 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 park-like setting.

**Policy CD-7.5 - 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 facades, 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 it is an Existing Facility that involves minor alterations and negligible expansion of use; is in an area where all public services and facilities are available to allow for maximum development; and is not located in an environmentally sensitive area.

## **PUBLIC OUTREACH**

This item received standard noticing for the July 5, 2018 Board of Zoning Adjustments hearing, including a legal advertisement in the East Bay Times newspaper, the posting of notices at City Hall and on the subject property and mailing notification to business and property owners within 500 feet of the exterior boundary of the subject property.

## **RECOMMENDATION**

Staff recommends that the Board of Zoning Adjustments make the required Findings of Fact and approve PLN18-0022 subject to the recommended Conditions of Approval.

## **ATTACHMENTS**

Vicinity Map  
Recommended Findings of Fact  
Recommended Conditions of Approval  
Exhibit A - Cover and Site Plan  
Exhibit B - Existing Floor Plan  
Exhibit C - Elevations  
Exhibit D - Proposed Floor Plan  
Google streetviews of Existing Conditions

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