



PLANNING COMMISSION AGENDA ITEM NO. E.2
09/03/2024

SUBJECT: Conditional Use Permit for Boat Pros' 2000 square foot ancillary maintenance and warranty service area.

DEPARTMENT: Community Development Department

STAFF: Erik Nolthenius, Planning Manager
Miguel Contreras, Associate Planner

TITLE/RECOMMENDATION

An application for a Conditional Use Permit (CUP 24-004) to establish a 2,000 square foot maintenance/warranty service area within the existing Boat Pros dealer/showroom located at 8130 Brentwood Blvd. (APN 013-020-022).

Staff recommends that the Planning Commission adopt Resolution No. 24-036, approving Conditional Use Permit No. 24-004, subject to certain findings and conditions.

The proposed project qualifies for a Class 1 categorical exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15301, as it will be established within existing facility and will include only minor alterations (i.e. tenant improvements) to an existing building located within an existing commercial center and thus involves negligible or no expansion of existing or former use.

The project further qualifies for a Class 32 categorical exemption under the CEQA Guidelines Section 15332 (In-Fill Development Projects) because it is consistent with the applicable General Plan Designation and applicable zoning designation and regulations, is proposed on a project site less than 5 acres in size with no value as habitat for endangered species, it would not result in significant effects relating to traffic, noise, air quality, or water quality, and it can be adequately served by all utilities and public services.

OWNER/APPLICANT

Cindy Brown / William Tanner Spohn

GENERAL PLAN

Brentwood Boulevard Specific Plan

ZONING/SURROUNDING LAND USES

Commercial Office Industrial Residential (COIR)

Surrounding Land Uses

North: Car dealer, car rental, auto repair/service

East: Car dealer, residential beyond

South: Car wash (non-automated)

West: Car dealer, Retail and Professional Office



PREVIOUS ACTION(S)

Previous actions related to this agenda item that were taken by the Planning Commission and City Council are listed below. To view prior actions and materials, and Brentwood Municipal Code references in the staff report, as applicable:

- Visit www.brentwoodca.gov/meetings, and select the meeting date(s) desired to see the reference materials and videos.
- Visit www.brentwoodca.gov/municipalcode to research references to the Brentwood Municipal Code and search by the code section(s) cited.



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The Brentwood Boulevard Specific Plan was approved by the City Council on March 27, 2012.

BACKGROUND

The project site is located within a developed commercial center which primarily hosts automotive related uses and is improved with two in-line commercial buildings. The subject project would be situated within 2,000 square feet of the existing 4,000 square foot Boat Pros showroom located in the southern building. Boat Pros is the sole selling dealer for Bass Cat boats in the region.

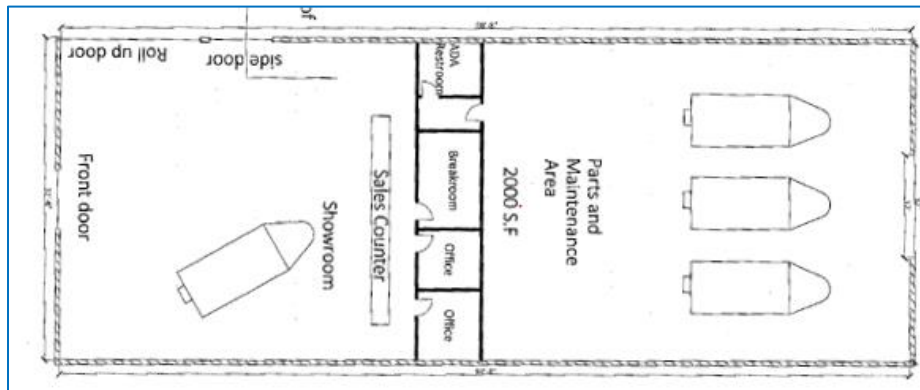
In 2012, the City Council adopted the Brentwood Boulevard Specific Plan (BBSP) and designated the subject site COIR. The COIR designation allows for mixed-use, including commercial, office, industrial, and residential uses. Historically, Brentwood Boulevard served as the primary route through the city for residents, workers, and visitors. The corridor includes a major gateway into the city along the shared boundary with the City of Oakley at Delta Road on the north, and a connection to the historic Downtown at Second Street on the South.

The BBSP requires a CUP for light industrial uses (like the proposed boat maintenance) in the COIR district. There are other similar uses (e.g. automotive maintenance) currently operating on the subject parcel that were in existence prior to incorporation of the BBSP. The proposed use is a new use requiring a CUP; the project does not propose to expand any of the existing light industrial uses which may continue their current operations as legal non-conforming uses. Should any of those uses desire to expand in the future, a CUP would be required to bring such uses into compliance with the BBSP and COIR district requirements.

PROJECT DESCRIPTION

The applicant, Tanner Spohn, requests approval of a Conditional Use Permit (CUP 24-004) to establish a 2,000 square foot maintenance/warranty service area within the existing 6,400 square foot Boat Pros show room/dealership located at 8130 Brentwood Boulevard. Retail uses as well as show rooms and dealerships are permitted uses within the COIR District. The proposed service area is dedicated solely to maintenance and warranty services that may include boat repair and testing as further described in the attached project description. The majority of the work done will be dedicated to warranty service of Bass Cat boats that are sold on site or from other dealers.

The proposed maintenance/warranty service center would be located in the rear of the show room area (not accessible to the public). The hours of operation for the show room are currently from 7:00 am to 5:00 pm Monday through Friday and the hours of operation for the proposed warranty center would be from 9:00 am to 3:00 pm, with pick-up and drop-off limited to 9:00 am to 1:00 pm as to not conflict with school traffic.



ANALYSIS

GENERAL PLAN CONSISTENCY – BRENTWOOD BOULEVARD SPECIFIC PLAN

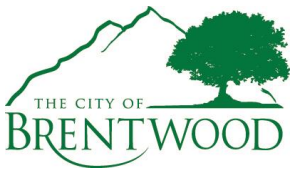
The subject site has a General Plan land use designation of BBSP. The intent of the BBSP is to guide future development in order to fulfill the community's intention for the creation of a distinctive corridor along Brentwood Boulevard, stretching between the city's northern boundary and the Downtown.

Staff reviewed the goals, policies, and actions in the General Plan, and determined that this project, as proposed, is consistent. Some of the more notable consistencies include:

- Land Use Element, Goal 1: Facility and Services, Action Program 1.1.6 – Contiguous Development: Require new development to be contiguous to existing development, whenever possible. The proposed project would be within an existing commercial center.

ZONING CONSISTENCY – COMMERCIAL OFFICE INDUSTRIAL RESIDENTIAL

The subject site is within the BBSP's Commercial Office Industrial Residential (COIR) zoning district. The COIR zoning district is intended to provide a transition between employment areas and residential areas located primarily near the Downtown, and to serve as an attractive gateway to the Downtown. The proposed use will be located within an existing building and no exterior changes are proposed.



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The proposed warranty service area will be ancillary to the primary retail use (show room/dealer). The BBSP requires light industrial uses that do not generate significant amounts of noise, odor, air emissions, waste materials, or similar nuisances to obtain approval of a conditional use permit. Staff considers the warranty service to be a light industrial use and therefore requires a Conditional Use Permit under this provision.

CONDITIONAL USE PERMIT

Conditionally permitted uses are those uses that, by their nature, require special consideration so that they may be located properly with respect to the objectives of the Brentwood Municipal Code (BMC) and with respect to their effect on surrounding uses and properties. In order to achieve these purposes, the approving body has the authority, within the bounds of the law, to approve, conditionally approve, or deny applications for conditional use permits. A conditional use permit may be granted only if the proposal conforms to all of the general criteria and specified findings found in Section 17.830.005 of the BMC. Staff reviewed these findings and determined they can be made, as reflected in the attached draft Resolution No. 24-XXX.

CUP 24-004 requests approval to:

- Establish a light industrial use (warranty maintenance center) to provide warranty work and maintenance to Bass Cat boats, within an existing boat showroom/ dealership. With no outdoor storage or work being performed.

The warranty center will provide maintenance and warranty repairs solely on Bass Cat boats. The services/repairs provided (see attached project description) are minimal compared to a traditional auto repair facility given that the tools used do not include air tools and are predominantly hand tools. Some boats will need to conduct a “run-out” to ensure that all components are in working order. A run-out consists of starting the main motor for no longer than 5 minutes and can be conducted off site, on the water. The applicant estimates that no more than 3 boats per week will require a run-out.

Site Plan, Access, and Parking

Boat drop-off and pick-up will take place in front of the show room and the boat will be transported by Boat Pros around the building (as depicted in the site plan) to the proposed warranty service area. At no point will the boat be transported through Spruce Street, and therefore there will be no impacts to the residential traffic flow on Spruce Street. The application indicates, and the project is conditioned, that there will be no outdoor storage of boats or any work will be performed outdoors (including run-outs).



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The subject parcel, which includes both in-line buildings, is currently improved with 46 parking spots. There are no plans for future subdivision, therefore the existing parking and access is shared by all tenants. The parking requirements for light industrial uses is 3 spaces per 1,000 square feet for therefore the proposed use would require six parking spaces. The current parking need for the entire site (including both buildings and all uses) is 31 parking spaces. Therefore, the parking needs for the existing and proposed uses is 37 parking spaces and there will be a surplus of 9 parking spots.

DATE OF NOTICE

The City of Brentwood published a public hearing notice in the Brentwood Press and mailed it to all property owners within 300 feet of the site on August 23, 2024. The applicant also posted the project site with the required signage. The City has not received any public comments regarding this project.

ENVIRONMENTAL DETERMINATION

The proposed project qualifies for a Class 1 categorical exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15301, as it will be established within existing facility and will include only minor alterations (i.e. tenant improvements) to an existing building located within an existing commercial center and thus involves negligible or no expansion of existing or former use.

The project further qualifies for a Class 32 categorical exemption under the CEQA Guidelines Section 15332 (In-Fill Development Projects) because it is consistent with the applicable General Plan Designation and applicable zoning designation and regulations, is proposed on a project site less than 5 acres in size with no value as habitat for endangered species, it would not result in significant effects relating to traffic, noise, air quality, or water quality, and it can be adequately served by all utilities and public services.

ATTACHMENT(S)

1. Draft Resolution NO. 24-036
2. Project Description
3. Project Plans